

This page intentionally left blank

August 5, 2008

*This letter and its attachments
were sent to everyone on the
distribution list that follows.*

Re: Agency Scoping
Nebraska Highway 12 - Environmental Impact Statement
Permit No. - 2004-10258-WEH
NDOR Project No. S-12-5(1011), C.N. 31674
Knox County, Nebraska

Dear _____ :

The United States Army Corps of Engineers, Omaha District Regulatory Branch (Corps), is beginning work on an Environmental Impact Statement (EIS) for a project proposed by the Nebraska Department of Roads (NDOR) and the Corps on two segments of State Highway 12 (N-12) east and west of the Village of Niobrara in Knox County, Nebraska (see Figure 2 in the attached Early Coordination Packet). As a Section 404 Permit is required for authorization of the Project under the Clean Water Act of 1977, the Corps is the lead Federal agency in the EIS process as defined in 40 CFR 1501.5.

The proposed Project consists of improving or relocating portions of N-12 to provide long-term reliability, alleviate road damage, and address safety concerns for this regionally important highway (the Project).

NDOR has contracted with HDR Engineering, Inc. (HDR) to prepare the environmental documentation as the third party consultant to the Corps.

An agency scoping meeting will be held for the above referenced project as follows:

Date: August 28, 2008

Time: 1:00 -4:30 p.m. (see attached agenda)

Place: WFLA Conference Center, Niobrara, NE (see attached map)

As part of our early coordination efforts, we are contacting you because of your agency's area of expertise and/or jurisdiction by law. We invite you to attend the agency scoping meeting and/or provide comments on the proposed Project and its potential impact on your agency's resource(s) and permitting requirements. The enclosed Early Coordination Packet for the Project provides background information as well as outlines the agency and public coordination points. The packet is enclosed to assist you in your review. Any input or comments that your agency may have on the general study area (see Figure 2 in the Early Coordination Packet) will be greatly appreciated and will be identified in the

EIS. This Project will be developed utilizing Corps guidelines for NEPA compliance and components of the Nebraska NEPA/404 Merge process.

If you plan to attend the agency coordination meeting, or if you wish to provide comments in advance of or in lieu of attending the agency scoping meeting, please reply to:

Matt Pillard
HDR Engineering, Inc.
8404 Indian Hills Drive
Omaha, Nebraska 68114-4098

Phone – 402-399-1186
Email – Matt.Pillard@hdrinc.com

In addition, a public scoping meeting to receive public input on the Project will be held in the evening of the same day as the agency scoping meeting (August 28, 2008) from 6:00 pm to 8:30 pm at the WFLA Conference Center. This meeting will be an open-house format and your attendance is welcome.

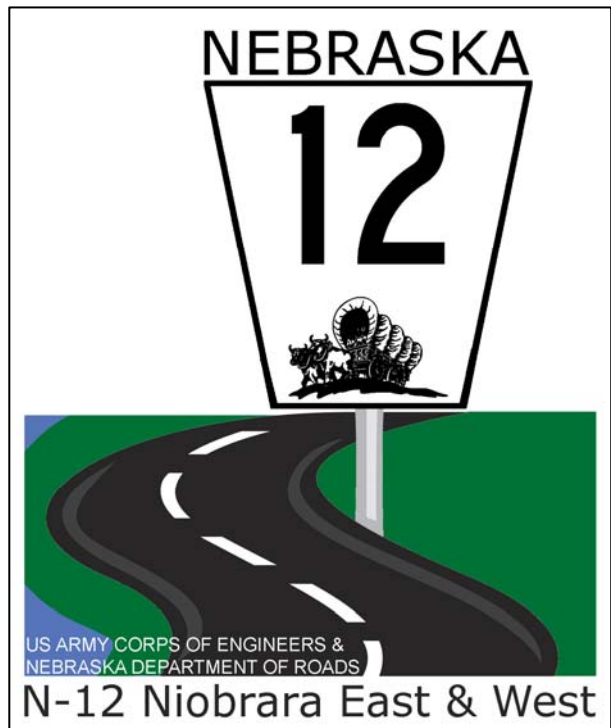
Sincerely,
HDR ENGINEERING, INC.

A handwritten signature in black ink that reads "Matt Pillard". The signature is stylized with a cursive script.

Matthew Pillard, AICP
Project Manager

Enclosures: Agency Scoping Meeting Agenda
Meeting Location Map
Early Coordination Packet

cc Matt Wray, Corps
Len Sand, NDOR



Early Coordination Packet

Nebraska Highway 12 – Niobrara East and West

Environmental Impact Statement

2004-10258-WEH

S-12-5 (1011), C.N. 31674

August 2008



Early Coordination Packet

This Early Coordination Packet provides notification to resource and regulatory agencies of the decision by the U.S. Army Corps of Engineers (the Corps) to commence the National Environmental Policy Act of 1969 (NEPA) process for the proposed improvements of Nebraska Highway 12 (N-12) from Verdel to near the Santee Spur (S-54D) in Knox County, Nebraska (Project), and solicits comments from the resource and regulatory agencies concerning the proposed Project.

PROJECT DESCRIPTION

This Project consists of developing an Environmental Impact Statement (EIS) for the proposed improvement or relocation of Nebraska Highway 12 (N-12) to provide a reliable, stable, and safe roadway. Two segments of existing N-12 have experienced flooding and damage due to high water levels associated with the Missouri River. Segment 1 is approximately 6.4 miles long and extends from just east of Verdel, Nebraska on the west end to 2 miles west of the bridge over the Niobrara River. Segment 2 is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara, Nebraska to approximately 1 mile east of S-54D (see Figure 1). The area of study for the Project (Study Area) includes the existing N-12 alignment as well as areas south of the existing alignment on the bluffs of the Missouri River (see Figure 2).

A notice of intent to initiate the EIS was published in the Federal Register on July 25, 2008. The EIS will evaluate various alternatives within the Study Area, including alternatives outside of the existing alignment. In addition to the build alternatives identified, the No-Action Alternative (that is, an alternative that does not improve N-12) will also be evaluated.

PURPOSE AND NEED OF THE PROPOSED ACTION

The preliminary overall Project purpose is to provide a reliable and safe roadway that meets the existing and projected traffic needs for the region. This Project purpose will be used to evaluate the full range of alternatives under Section 404 (b)(1) guidelines. Based on agency and public scoping, the purpose and need will be reviewed and modified as appropriate.

Based on current information, the need for Project is based on the following problems and/or concerns caused by the high water levels and flooding: instability of the existing roadway; driver hazard; roadway maintenance countermeasures; and traffic disruption.

1. Roadway Stability

Due to high water levels and overtopping of N-12 in the Study Area, the stability of the roadway is commonly threatened. Gavin's Point Dam on the Missouri River was built in the 1950s near Yankton, South Dakota, thus creating Lewis and Clark Lake (the Lake). The lake has caused the water table adjacent to the Missouri River to rise. N-12, which runs parallel to the Missouri River, is affected where it crosses into the Missouri River floodplain east and west of Niobrara, Nebraska. Approximately eight miles of N-12 runs through the floodplain. About half of this length is located to the east and half to the west of Niobrara, in Knox County, Nebraska. The distance between N-12 and the Missouri River bank differs, but some areas are as close as two to

three thousand feet. Due to the location of N-12, roadway overtopping and prolonged high water levels are common. Reasons for these conditions are:

- Missouri River Mainstem Releases - System releases from upstream reservoirs as part of the Missouri River mainstem system can provide constant high water levels and large releases of water can sometimes maintain high water levels for many months.
- Sedimentation - The increased silt load coming into the Lake from the Missouri River tributaries (primarily the Niobrara River and Bazile Creek) has caused sedimentation of the Lake. The confluence of the Niobrara River and the Missouri River is just west of Niobrara, Nebraska. The waters slow and sediment is deposited creating a fill area that restricts the channel and raises the bed of the both rivers. This is causing the area of the Lake to increase in dimension as well as raising the water table. This action has also reduced the size (and therefore capacity) of bridge openings.

Overtopping has occurred several times in the Bazille and Ponca Creek areas in the past. Bazile Creek enters the river east of Niobrara, Nebraska where it intersects N-12. Ponca Creek intersects N-12 and enters the river west of Niobrara, Nebraska. Over-topping jeopardizes the integrity of the roadway due to shoulder and embankment damage.

High water levels create conditions of routine and persistent flooding and long-term saturation of the roadway embankment, thus creating roadway shoulder and embankment damage during overtopping events and the potential for roadway embankment erosion during saturation.

2. *Driver Hazard*

As described above, N-12 in the Study Area is exposed to regular flooding. Roadway flooding is a concern for driver safety as even if the road is marked closed, motorist may choose to drive through flooded roadways. N-12 in this location does not have lighting and the inherent dangers of driving through flooded roadways exist, especially during times of poor visibility.

In 1995, the Corps implemented an interim fix by raising the gradeline of N-12 by several feet on two short highway segments to alleviate the flooding problems. The resultant roadway is narrow that has shoulders of inadequate width and steep side slopes. Cable guardrail was installed to help protect vehicles from leaving the road and driving into the water. Due to the narrow roadway, the cable guardrail is close to the edge of the driving lane. These conditions create hazards for the traveling public.

3. *Continuous Roadway Maintenance*

Roadway maintenance has occurred in the past (see above #2 above) to repair roadway damage due to high water levels and/or flooding. Until a solution is implemented, continuous roadway maintenance will be required to repair damage caused by high water levels and/or flooding of the roadway.

4. *Need for Reliable Roadway*

N-12 is an east-west roadway in northeastern Nebraska that provides a route for local and thru vehicle traffic. N-12 is situated among the northern portions of counties in Nebraska. As there are limited resources in this area which provide for east-west vehicle traffic movement, N-12

provides a vital link of travel for adjacent rural residents and traffic traveling east-west through northeastern Nebraska.

ALTERNATIVES

Because the Project, as determined by the basic Project purpose, is not water dependent, an alternative is presumed to be available that does not impact waters of the U.S. Therefore, avoidance alternatives will be considered. All alternatives will be reviewed for the practicability based on 404 (b)(1) guidelines. Alternatives under consideration include: (1) Taking no action; (2) re-construction on existing alignment; (3) providing a new two-lane highway on new alignment; (4) reduce or eliminate the flooding/high water level problem through evaluation of methods to reduce Lewis and Clark Lake elevation through operations and/or maintenance. NDOR and the Corps have not selected a Project alignment but will be exploring alternatives through the National Environmental Policy Act (NEPA) process to result in a preferred alternative. Additional alternatives will be considered during the NEPA process. Construction of the N-12 Project is expected to result in temporary and permanent impacts to jurisdictional waters of the U.S., thereby requiring a Clean Water Act Section 404 permit.

ANTICIPATED IMPACTS

During the course of the EIS process, potential direct and indirect impacts to a wide spectrum of resources will be evaluated. Resources to be evaluated include land use, farmland, social resources (including environmental justice, community impacts, and public services and facilities), acquisitions and relocations, utilities, economic impacts, recreation, noise, water quality, wetlands and waters of the U.S., floodplains, fish and wildlife, threatened and endangered species, cultural resources, regulated materials, and visual impacts. The Project is within the boundaries of the Missouri National Recreation River and is near the boundaries of the Niobrara National Scenic River. Short-term impacts relative to construction will also be discussed for each of these resources (when applicable). An evaluation of cumulative impacts will also be performed for the EIS and address other transportation projects in the study area, as well as projects proposed by other entities.

DEVELOPMENT PROCEDURES

The Project is being developed by NDOR in cooperation with the Corps. Due to the need for a Section 404 Permit, the Corps, having regulatory authority concerning Section 404 of the Clean Water Act, is the lead federal agency. An EIS will be developed in compliance with NEPA and Corps guidelines. When completed, the Draft EIS will be circulated to appropriate federal, tribal, state, and local resource/regulatory agencies and the interested public, for their review and comment.

The Project will be led by the Corps and will apply components of NDOR/Federal Highway Administration (FHWA)/Corps NEPA/404 Merge Process, including written concurrence at four points in the Project development process. These points are: Purpose and Need; Alternatives Carried Forward; Selected Alternatives; and Impact Minimization. The anticipated timeframe for each concurrence point in the Project development process are listed in the table below:

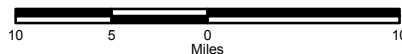
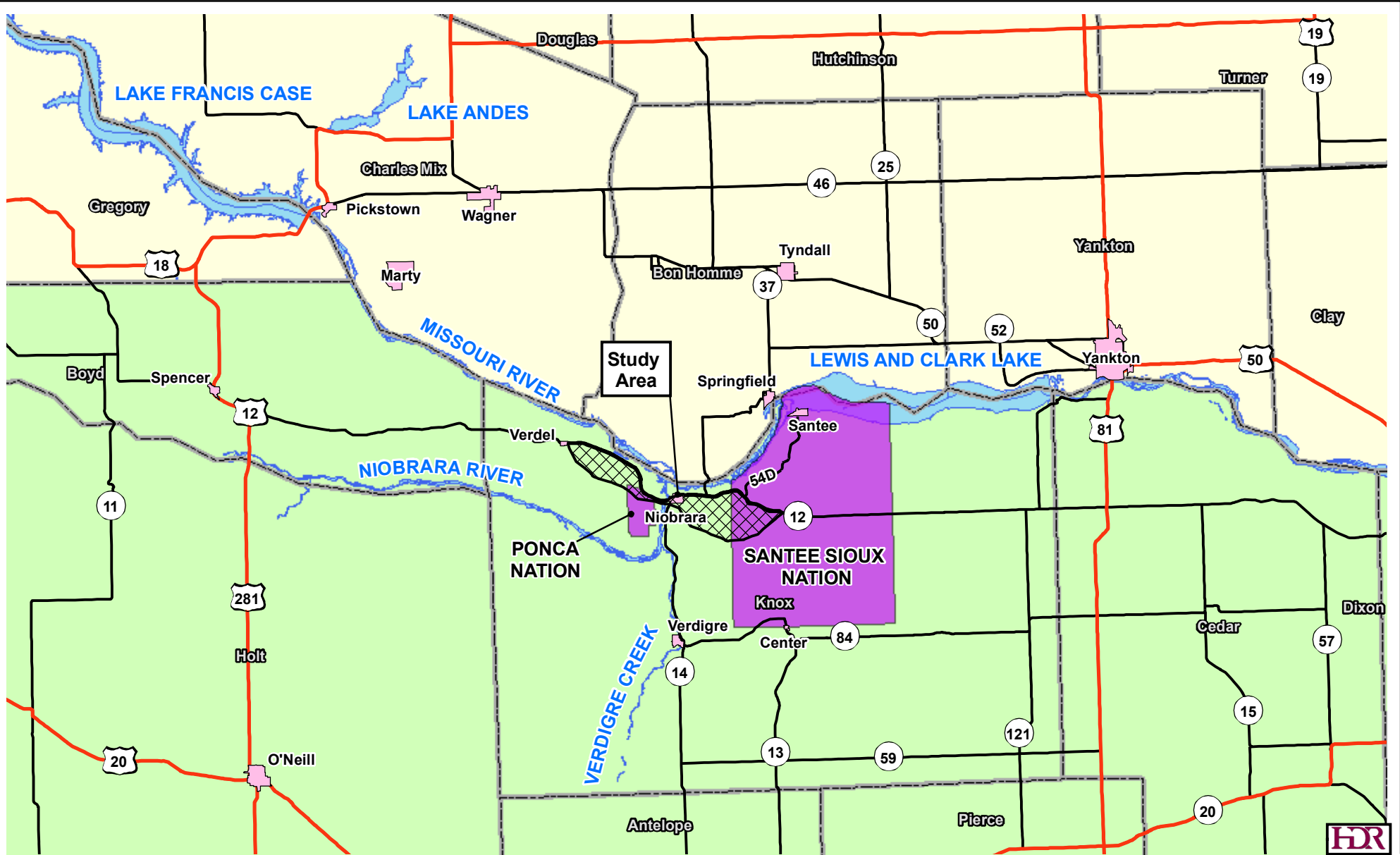
Proposed NEPA/404 Merge Process Schedule		
Concurrence Point	Stage of Development	Estimated Date
1. Purpose and Need	Following agency scoping and first public information meeting	September 2008
2. Alternatives Carried Forward 2a. Range of Alternatives	During development of the alternatives chapter of the Draft EIS	October 2008
2b. Alternatives Carried Forward	Following 404 (b)(1) screening for practicability	February 2009
3. Selected Alternative	Following response to comments on the Draft EIS	February 2010
4. Impact Minimization	Following response to comments on the Draft EIS	February 2010

In addition, there will also be several public involvement activities to provide information to the public and to receive input on the Project. This includes a Project newsletter, public information meetings, and information on the NDOR website. The first Project newsletter will be distributed prior to the first public meeting (scheduled for August 28, 2008). The newsletter and all the information presented at the public meeting, including the meeting handout, and copies of the Project information boards and scrolls will be placed on a Project website within the NDOR main website. Contact information for the Corps and HDR will be made available. A second Project newsletter will be distributed prior to the second public meeting on the Draft EIS. The anticipated timeframe for the Public Hearing is October 2009.

This coordination package is intended to provide early notification of the Project and to solicit comments regarding the potential impacts of such an action. Other formal opportunities to comment on the Project will occur at the Nebraska NEPA/404 Merge process concurrence points (listed in the table, above), at public information meetings, and public hearings held throughout the Project. Several federal, tribal, state, and local agencies will also be contacted directly to request their early input into the impact identification process.

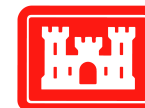
Early notification precedes publication of the environmental documents but does not preclude subsequent review and comment on the documents (that is, the Draft EIS) after publication.

This page intentionally left blank



Project Vicinity Map

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Study

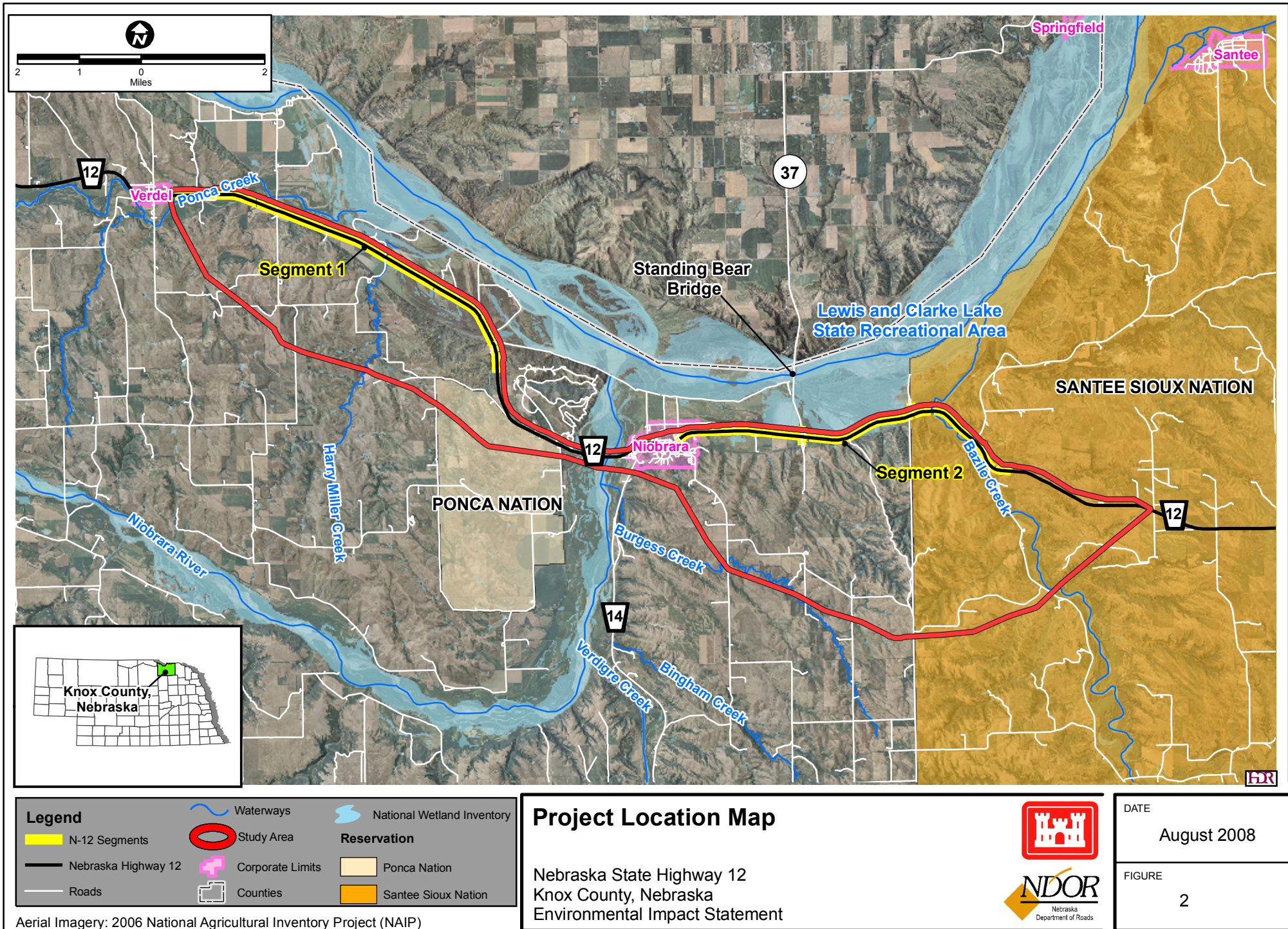


DATE

August 2008

FIGURE

1



Last	First	MAIL ADD 1	MAIL ADD 2	MAIL ADD	State	ZIP CODE
Sand	Leonard	Nebraska Department of Roads	P.O. Box 94759	Lincoln	NE	68509-4759
Turek	Don	Nebraska Department of Roads	P.O. Box 94759	Lincoln	NE	68509-4759
Veys	Cindy	Nebraska Department of Roads	P.O. Box 94759	Lincoln	NE	68509-4759
Ledbetter	Gary	U.S. Army Corps of Engineers - Gavins Point Project Office	P.O. Box 710	Yankton	SD	57078
Behm	Randall	U.S. Army Corps of Engineers, Attention: CENWO-ED-HB	106 South 15th Street	Omaha	NE	68102
Peters	Victoria	Federal Highway Administration - NE Division	100 Centennial Mall North, Room 220	Lincoln	NE	68508
Cothorn	Joe	Environmental Protection Agency - Region VII	901 North 5th Street	Kansas City	KS	66101-2670
Ousley	Jennifer	Environmental Protection Agency - Region VII	901 North 5th Street	Kansas City	KS	66101-2670
Chamberlain	Eliodora	Environmental Protection Agency - Region VII	901 North 5th Street	Kansas City	KS	66101-2670
Harms	Robert	U.S. Fish & Wildlife Service, Ecological Services	203 West Second Street	Grand Island	NE	68801
Stansberry	Brooke	U.S. Fish & Wildlife Service, Ecological Services	203 West Second Street	Grand Island	NE	68801
Chick	Steve	U.S. Department of Agriculture - National Resource Conservation	100 Centennial Mall North, Room 152	Lincoln	NE	68508-3866
		U.S. Department of Agriculture Bloomfield Service Center	111 North Washington	Bloomfield	NE	68718
Bevirt	Greg	U.S. Department of Housing and Urban Development	Edward Zorinsky Federal Bldg 1616 Capitol Ave, Suite 329	Omaha	NE	68102-4908
Hainje	Dick	U.S. Department of Homeland Security - FEMA Region 7	9221 Ward Parkway, Suite 300	Kansas City	MO	64114-3372
Tisor	Darrel	Federal Railroad Administration	P.O. Box 758	Liberty	MO	64069-0758
Schenkelberg	Mark	Federal Aviation Administration, Airports Division ACE-600	601 E. 12th Street	Kansas City	MO	64106
Foell	Gerry	Bureau of Indian Affairs	115 Fourth Avenue SE	Aberdeen	SD	57401-4384
Werkmeister	Wayne	National Parks Service, HQ, Missouri National Recreational River	P.O. Box 591	O'Neill	NE	68763
Stirts	Hugh	Nebraska Dept. of Environmental Quality	PO Box 98922	Lincoln	NE	68509-8922
Hickman	Terry	Nebraska Dept. of Environmental Quality	PO Box 98922	Lincoln	NE	68509-8922

<u>Last</u>	<u>First</u>	<u>MAIL ADD 1</u>	<u>MAIL ADD 2</u>	<u>MAIL ADD</u>	<u>State</u>	<u>ZIP CODE</u>
Amack	Rex	Nebraska Game & Parks Commission	P.O. Box 30370	Lincoln	NE	68503-0370
Grell	Carey	Nebraska Game & Parks Commission	P.O. Box 30370	Lincoln	NE	68503-0370
Stoner	Kristal	Nebraska Game & Parks Commission	P.O. Box 30370	Lincoln	NE	68503-0370
Albrecht	Frank	Nebraska Game & Parks Commission	P.O. Box 30370	Lincoln	NE	68503-0370
Puschendorf	Robert	Nebraska State Historical Preservation Office	P.O. Box 82554	Lincoln	NE	68501-2554
Patterson	Roger	Nebraska Department of Natural Resources	P.O. Box 94676	Lincoln	NE	68509-4676
McTaggart	Stuart	Nebraska Department of Aeronautics	PO Box 82088	Lincoln	NE	68501-2088
Peterson	Chris	Nebraska Department of Health and Human Services	P.O. Box 95026	Lincoln	NE	68509-5026
Gaiashkibos	Judi	Nebraska Commision on Indian Affairs	P.O. Box 94981	Lincoln	NE	68509
Winter	Kris	Nebraska Department of Roads	P.O. Box 1707	Norfolk	NE	
Wendzillo	Phil	Ponca Tribe of Nebraska	P.O. Box 288	Niobrara	NE	68760
Grant	Donald F.	Omaha Tribal Council	P.O. Box 368	Macy	NE	68039
Alexander	Alice	Pawnee Nation of Oklahoma	P.O. Box 470	Pawnee	OK	74058
Blackhawk	John	Winnebago Tribal Council	P.O. Box 687	Winnebago	NE	68071
Long	Marianne	Iowa Tribe of Oklahoma	Rt. 1 P.O. Box 721	Perkins	OK	74059
Hassebrook	Chuck	Center for Rural Affairs	104 E. Main	Hartington	NE	68739
Doerr	Liz	Knox County	P.O. Box 165	Center	NE	68724
Hintz	Laura	Knox County	P.O. Box 165	Center	NE	68724-0165
Barta	Kevin	Knox County	P.O. Box 85	Center	NE	68724-0085
Swanson	Rayder	Knox County Board of Supervisors	88841 521 Ave	Niobrara	NE	68760
Miller	Virgil	Knox County Board of Supervisors	PO Box 166	Center	NE	68724
Olson	Bob	Village of Niobrara	P.O. Box 227	Niobrara	NE	68760
Dryak	Stanley	Village of Niobrara	P.O. Box 227	Niobrara	NE	68760
Moser	Tom	Lewis and Clark Natural Resources District	P.O. Box 518	Hartington	NE	68739-0518
Johnson	Larry	Nebraska Trucking Association	P.O. Box 81010	Lincoln	NE	68501-1010

<u>Last</u>	<u>First</u>	<u>MAIL ADD 1</u>	<u>MAIL ADD 2</u>	<u>MAIL ADD 3</u>	<u>State</u>	<u>ZIP CODE</u>
		Urban League of Nebraska	3022-24 North 24th Street	Omaha	NE	68110
		Small Business Administration	11145 Mill Valley Road	Omaha	NE	68154

This page intentionally left blank

This letter and its attachments were sent to everyone on the distribution list that follows.

September 15, 2008

«AddressBlock»

Re: Agency Scoping Meeting
Nebraska Highway 12 - Environmental Impact Statement
Permit No. - 2004-10258-WEH
NDOR Project No. S-12-5(1011), C.N. 31674
Knox County, Nebraska

«GreetingLine»

Thank you for attending the agency scoping meeting for the Nebraska Highway 12 (N-12) Project on Thursday, August 28. The purpose of this letter is to provide you the attached N-12 Agency Meeting Notes. If you have any additional scoping comments, please submit them by September 30. Our contact information follows:

Matt Wray
Project Manager
US Army Corps of Engineers
Wehrspann Field Office
8901 S. 154th Street
Omaha, NE 68138-3621
Phone: 402.896.0896
Email: Matt.T.Wray@usace.army.mil

Matt Pillard
EIS Project Manager
HDR Engineering, Inc.
8404 Indian Hills Drive
Omaha, NE 68114-4098
Phone: 402.399.1186
Email: Matt.Pillard@hdrinc.com

Sincerely,
HDR ENGINEERING, INC.



Matt Pillard
Project Manager

Enclosures: N-12 Agency Scoping Meeting Notes

cc: Matt Wray, Corps

This page intentionally left blank

Subject: N12 Agency Scoping Meeting	
Client: USACE	
Project: N12 Niobrara East and West	Project No: 84534
Meeting Date: August 28, 2008	Meeting Location: WFLA Hall, Niobrara, NE
Notes by: M. Pillard and M. Hall	

N:\Users\Gail\Stationery & Forms\Forms\MeetingNotes.doc

Attendees: (See attached sign-in sheets)

Topics Discussed: (See attached agenda)

Introduction: The participants introduced themselves with their agency and interest, if applicable.

Project History: HDR gave a brief project history (see attached Project History display board).

Detail range of alternatives: The participants were provided a map of the four alternative study corridors (see attached Project Location Map). HDR discussed the potential build alternative corridors, explained NDOR's preferred, and discussed other alternatives, such as dredging that will be considered.

Alternative 1 is the alignment NDOR originally proposed to construct. It is immediately adjacent to the existing alignment and will use some of the ROW of the existing alignment. A new road bed will be constructed and raised to an elevation that will accommodate future water levels of the Missouri River w/out overtopping. The existing roadway will be left open during construction. After construction, it will be closed and the concrete removed, but the road grade left in place (partly for protection of the new road).

Alternative 2 is an alignment that runs at the base of the bluffs. Again, road elevations would be constructed as appropriate. Some preliminary engineering was considered for this alignment by NDOR.

Alternative 3 is an alignment on the top of the bluffs. Some preliminary engineering was considered for this alignment by NDOR.

Alternative 4 is an alignment south of the bluffs that utilizes existing county roads where possible. This is a general alignment and no preliminary engineering has been applied.

Other potential alternatives that may be considered in the initial range of alternatives includes sediment removal from the rivers (Missouri and/or Niobrara) and mainstem dam operational changes.

Discuss issues identified during past coordination: HDR presented a board summarizing issues brought up by agencies during coordination with NDOR (see table, below).

Summary of Issues From Previous NDOR Coordination	
Issue	Agency
Wetlands/Waters of the U.S./Waterways	NRD, NGPC, USFWS, NPS
Fish/Wildlife Impacts; T&E Species; Migratory Birds	NGPC, USFWS, NPS
Water Quality	NPS
Wild and Scenic River	NPS, USFWS
Tribal Lands <ul style="list-style-type: none"> - burial grounds/TCPs - tourism/economics 	Santee Sioux Nation, Ponca Tribe of Nebraska, NSHS, Knox County

Archaeology Sites	NSHS, Knox County
Pierre Shale (geology)	Knox County, UNL – NE Geological Survey, NRD
Economics	Village of Niobrara, Knox County

Identify new agency issues: The participants provided concerns and input regarding the project and the study corridors.

NGPC/USFWS:

- Verdigre and Bazile Creek watersheds have or are proposed to have wetland/grassland/woodland conservation easements. This is part of the Legacy Project by the NGPC.
- Wildlife crossings implemented in the roadway design.
- T&E - Pallid sturgeon have been found south of the mouth of the Niobrara, least tern and piping plover (in Missouri River), American burying beetle (W. Knox Co.), bald eagle nesting sites, state-listed dace in Bazile Creek, whooping crane on Bazile Creek.

DEQ:

- Water quality concerns, altering a mainstem dam.

NPS:

- Feels concerns are well-documented in past coordination with NDOR. From a Wild and Scenic River perspective, they would like the road up on the bluffs (Alt. 4), but acknowledge and recognize other impacts.

NSHS:

- Archaeological impacts are irreversible.
- West of Niobrara – more archaeological issues, such as prehistoric and historic Ponca.
- Alternative 4 contains several burial mounds and a village. There are many resources at Ponca Creek confluence and associated bluffs.
- Existing alignment is better from an archeological impact perspective as some areas already impacted
- Advise staying away from bluffs on the west of Niobrara. An alternative route south out of Verdel that stays further south from bluffs would have the less frequency of archaeological resources.
- Don't cut connector roads through the edge of the bluffs.
- East of Niobrara – less archaeological issues.
- Need to maintain access to landowners.
- Need to consider archaeology in identification and use of borrow sites.

Lewis and Clark Trail:

- Would rather have the road out of the floodplain but are sensitive to Tribal issues
- Public access and recreation need to be considered in identifying alternatives.
- Works closely with NPS.
- Requested more information about sediment removal as it is interesting but complicated.

NDOR:

- Concerned about project delay and deteriorating conditions – poor road conditions, detours, bridge/road facilities.
- Stability of Alternatives 2 and 3.
- Landowner access, recreation, continuity with Highway 14.
- Relative to sediment removal, portions of N-12 would need to be rebuilt due to narrow road conditions and inability to accommodate wide loads.
- Asked if FHWA would be involved. It was explained that as there is no nexus to the project for Federal Highway Administration (no DOT funding); USACE became the lead federal agency due to need for a Section 404 permit. FHWA was asked to be a cooperating agency.

Ponca Tribe of Nebraska:

- Gravesites, known and unknown, are primary concern. Also would be considered with Tribal resources in identification of borrow areas.
- Ponca Tribe does not want an alternative that would change the road from existing route. This is due to plans the tribe has for the area.
- Suggest raising the road on a bridge or causeway.

Knox County:

- County doesn't want to maintain the existing road and re-affirmed their resolution to leave the road in its existing location.
- Slides and road stability are primary concerns.
- High water levels have killed large cottonwood trees from the Fort Randle Dam to the mouth of Niobrara. Loss of eagle habitat.
- Burials are prevalent in the bluffs.
- The County is rewriting comprehensive plan, based on the road in place at its existing location.
- Geology of the bluffs with the Pierre shale and bentonite layer is costly for construction and maintenance. Slides near Crofton cost 25-30k. Alternatives 3 and 4 will be problematic and the wetlands being impacted by Alternative 1 are man-made.

BIA:

- Burial sites, cultural and archaeological resources.
- Alternative 4 would include tribal ROW and easements and BIA can assist with that.
- Watershed issues, protection of well water for home sites.
- BIA would discuss with Santee Sioux on Alternatives 3 and 4 to see what is known about resources there.

Santee Sioux:

- Economic impact to the casino and gas station.
- Comfortable with Alternatives 1 and 2, do not support Alternatives 3 and 4.
- An 80 acre cemetery is in the corridor of Alternative 3.

Communicate next steps: HDR gave an overview of the EIS process (see EIS Schedule display board).

Action/Notes:

- NGPC may supply GIS data layer with conservation easement information.
- Evaluate another alternative route south out of Verdel.
- Provide more information about sediment removal to Lewis and Clark Trail representative.
- Evaluate an alternative uses a bridge or causeway for the portions of the road in wetlands or susceptible to flooding.
- Develop Scoping Summary Report

This page intentionally left blank



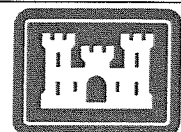
N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Representing	Complete Mailing Address
<input checked="" type="checkbox"/>	Zach Nelson	U.S. Senator Ben Nelson	P.O. Box 791 S. Sioux City, NE 68776
<input checked="" type="checkbox"/>	Alicia Fabbitt	US Senator Ben Nelson	4110 N 13th Lincoln NE 68505
<input checked="" type="checkbox"/>	Mike Croshley	Santee Sioux Nation	52948 Hwy 12 Niobrara, NE 68760
<input checked="" type="checkbox"/>	Theresa Smydra	Missouri River Futures & NRCS	102 E. Elm Hartington, NE 68739
<input checked="" type="checkbox"/>	Ted LaGrange	NGPC	P.O. Box 30370 Lincoln, NE 68503
<input checked="" type="checkbox"/>	Scott Wessel	NGPC	2201 N 13th Norfolk, NE 68701
<input checked="" type="checkbox"/>	Lucas Negus	NGPC	P.O. Box 44 Royal NE 68773
<input checked="" type="checkbox"/>	Neal Bedlan	NPS	601 Riverview Drive Omaha, NE 68102
<input checked="" type="checkbox"/>	Julia Sage	Ponca Tribe of NE	P.O. Box 288 Niobrara NE 68760
<input type="checkbox"/>	Raylene Swanson	Knox County Supervisor	88841 521 Ave Niobrara NE 68760
<input checked="" type="checkbox"/>	Virgil Miller	Knox County Supervisor	Box 101 Verdigre, NE 68783
<input checked="" type="checkbox"/>	Laura Hintz	Knox County Emergency Management	P.O. Box 165 Center, NE 68724
<input checked="" type="checkbox"/>	Liz Doerr	Knox Co. Zoning & Flood Plains Admin	"
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			





N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Representing	Complete Mailing Address
<input checked="" type="checkbox"/>	Carey Grell	NGPC	2200 N. 33rd Lincoln, NE 68503
<input checked="" type="checkbox"/>	Terry Hickman	NDEQ	POB 98922 Lincoln, NE 68509
<input checked="" type="checkbox"/>	Michael Madell	NPS	PO Box 666 Yankton SD 57078
<input checked="" type="checkbox"/>	Wayne Winkler	NPS	POB 591 O'Neill, NE 68763
<input checked="" type="checkbox"/>	Brooke Stansberry	USFWS	203 W 2nd ST Fed Bldg Grand Island, NE 68801
<input checked="" type="checkbox"/>	Terry Steinwacher	NSHPD	P.O. Box 304 Crawford, NE 69339
<input checked="" type="checkbox"/>	John Ludwickson	Nebraska State Historical Society (Highway Archeologist)	1500 4th STREET LINCOLN NE 68501-2554
<input checked="" type="checkbox"/>	Kristal Stoner	NGPC	2200 N 33rd St Lincoln, NE 68503
<input checked="" type="checkbox"/>	Gary Ledbetter	Gavins Point Project Corps	P.O. Box 710 Yankton, SD 57078
<input checked="" type="checkbox"/>	Denise Nelson	NPS ^{Lewis & Clark} NHT	601 Riverfront Dr. 102 Omaha, NE 68103
<input checked="" type="checkbox"/>	Scott Brummond	NDOR	P.O. Box 426 Wayne, NE 68787
<input checked="" type="checkbox"/>	Rob Davis	NDOR	PO Box 1707 Norfolk, NE 68702-1707
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			





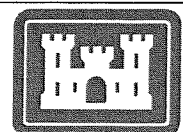
N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Representing	Complete Mailing Address
<input type="checkbox"/>	Wyatt Webster	NDOR	1500 Highway 2 Lincoln, NE 68509
<input type="checkbox"/>	JASON JURGENS	NDOR	1500 HIGHWAY 2 LINCOLN, NE 68509
<input type="checkbox"/>	Randy Peters	NDOR	" "
<input type="checkbox"/>	John Moeschen	USACE	8901 South 154th St Omaha, NE 68138
<input type="checkbox"/>	Rodney J. Schwarz	USACE	" "
<input type="checkbox"/>	MATT WRAY	USACE	8901 South 154 St Omaha, NE 68138
<input checked="" type="checkbox"/>	Tris Winters	NDOR-D3	P.O. Box 1707 Norfolk, NE 68702-1707
<input type="checkbox"/>	MONICA FLORES	BIA-Winnebag Agency	Rt. 1 Box 18 Winnebago, NE 68071
<input type="checkbox"/>	Ernest Poutier	BIA Winnebago, NE	" "
<input checked="" type="checkbox"/>	Tamara Poutier	BIA, Superintendent Winnebago NE	" " "
<input type="checkbox"/>	Don Turek	NDOR	1500 Hwy 2 Lincoln, NE 68509-4795
<input type="checkbox"/>	Sara Porter	NDOR	"
<input checked="" type="checkbox"/>	LEN SAND	NDOR	"
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			





N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Sign-In

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

Check here to be added to the project mailing list:	Name	Representing	Complete Mailing Address
<input type="checkbox"/>	Kevin R. Barta	Knox County Hwy. Supt.	P.O. Box 85 Center, NE 68724
<input type="checkbox"/>	Tom Motacek	Niobrara St Park	Niobrara NE
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			





N-12 NIOBRARA EAST & WEST PROJECT

Agency Meeting Agenda

Meeting Date: August 28, 2008

Meeting Location: WFLA Conference Center, Niobrara, Nebraska

1. Introduction
2. Project history
3. Detail range of alternatives
4. Discuss issues identified during past coordination
5. Identify new agency issues
6. Communicate next steps



This page intentionally left blank



N-12 NIOBRARA EAST & WEST PROJECT

PROJECT HISTORY

1995

→ Corps installs interim N-12 improvements

2000

→ NDOR studies permanent N-12 improvements

→ NDOR develops preliminary alternatives

2004

→ March: Agency & Public meetings on NDOR alternatives

→ NDOR conducts studies, evaluates impacts & develops its preferred alternative

2006

→ March: Location Public Hearing about NDOR's preferred alternative

→ NDOR & Corps coordinate on Section 404 permit

2007

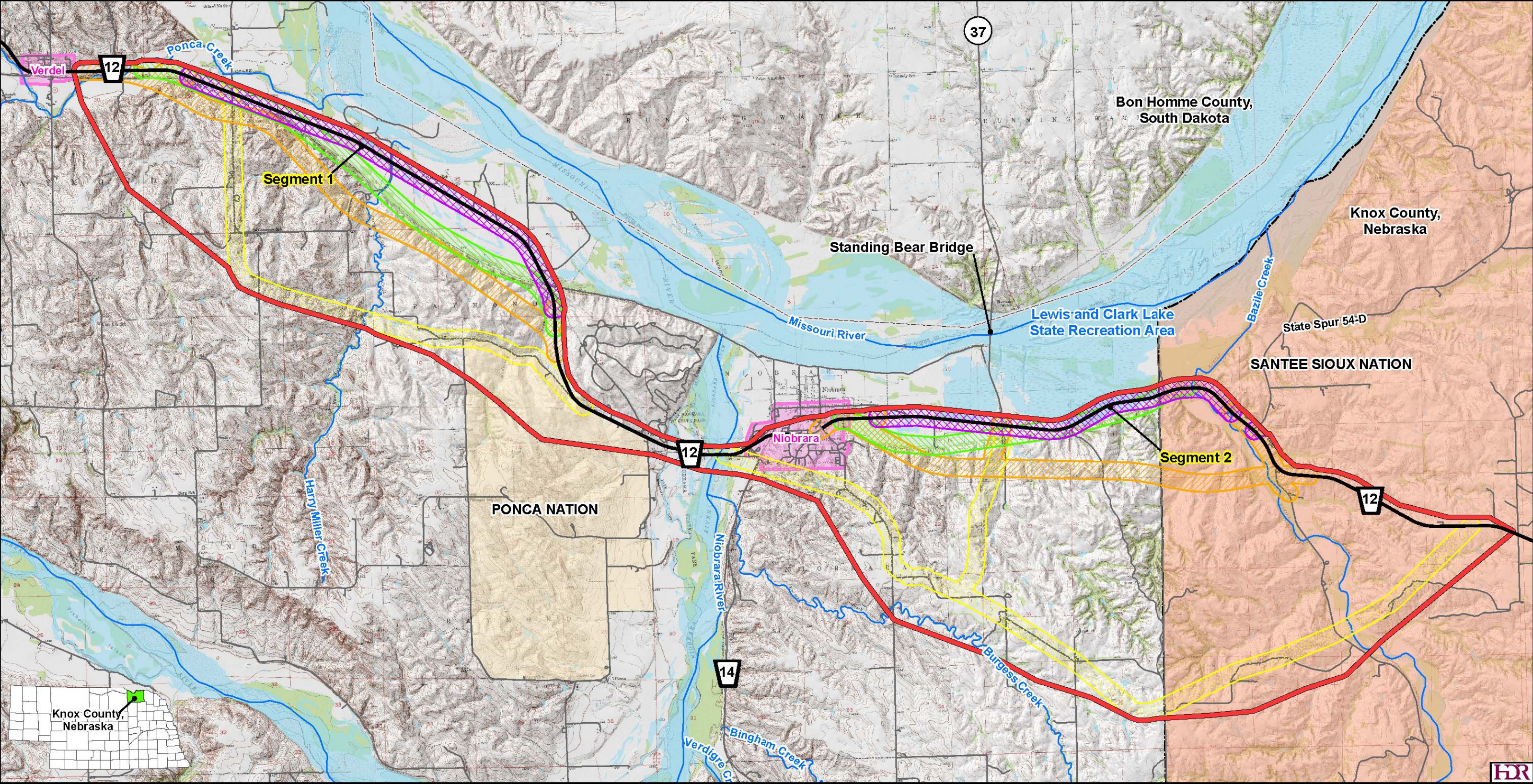
→ October: Corps becomes lead federal agency & determines EIS is needed

2008

→ March: HDR hired to assist with EIS; August: EIS alternatives analysis begins



This page intentionally left blank



Preliminary Alternative Study Corridors

- Alternative 1 Study Corridor
- Alternative 2 Study Corridor
- Alternative 3 Study Corridor
- Alternative 4 Study Corridor

Legend



- Nebraska Highway 12
- Roads
- Rivers / Streams
- National Wetland Inventory
- Study Area
- Corporate Limits
- Counties


Reservation

- Ponca Nation
- Santee Sioux Nation

Project Location Map

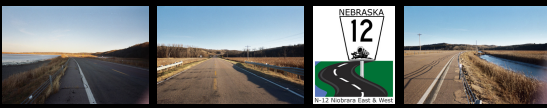
Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Statement



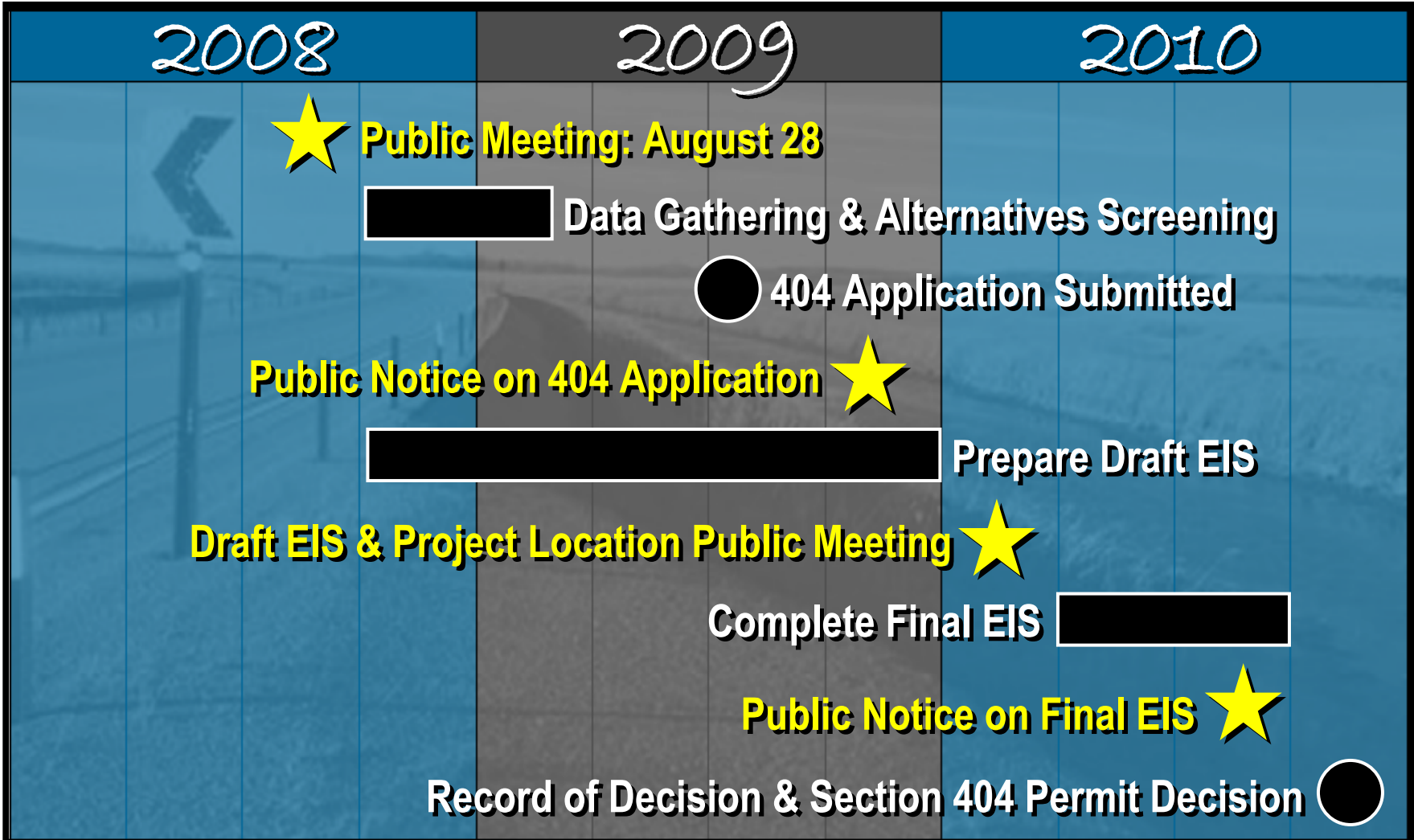
1 0.5 0 1
Miles

This page intentionally left blank



N-12 NIOBRARA EAST & WEST PROJECT

EIS SCHEDULE



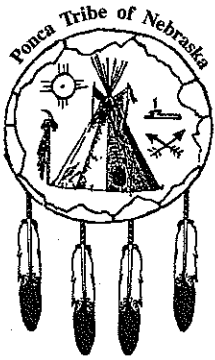
★: Formal Opportunity for Public Comment/Involvement. Note: Public Input Welcome Throughout Process.



This page intentionally left blank

Last	First	MAIL ADD 1	MAIL ADD 2	MAIL ADD 3	State	ZIP CODE
Poitra	Tammie	BIA Superintendent - Winnebago	Rt. 1 Box 18	Winnebago	NE	68071
Barta	Kevin	Knox County	P.O. Box 85	Center	NE	68724-0085
Doerr	Liz	Knox County	P.O. Box 165	Center	NE	68724
Hintz	Laura	Knox County	P.O. Box 165	Center	NE	68724-0165
Miller	Virgil	Knox County Board of Supervisors	PO Box 166	Center	NE	68724
Swanson	Rayder	Knox County Board of Supervisors	88841 521 Ave	Niobrara	NE	68760
Smydra	Theresa	Missouri River Futures & Natural Resources Conservation Service	102 E Elm	Hartington	NE	68739
Nelson	Denise	National Park Service - Lewis and Clark National Historic Trail	301 Riverfront Drive	Omaha	NE	68102
Werkmeister	Wayne	National Parks Service, Missouri National Recreational River	P.O. Box 591	O'Neill	NE	68763
Hickman	Terry	Nebraska Dept. of Environmental Quality	PO Box 98922	Lincoln	NE	68509-8922
Ludwickson	John	Nebraska State Historical Society - Hwy Archeologist	1500 R Street	Lincoln	NE	68501
Steinacher	Terry	Nebraska State Historical Preservation Office	P.O. Box 304	Crawford	NE	69339
Sage	Julia	Ponca Tribe of Nebraska	P.O. Box 288	Niobrara	NE	68760
Crosley	Mike	Santee Sioux Nation	52948 Hwy 12	Niobrara	NE	68760
Stansberry	Brooke	U.S. Fish & Wildlife Service, Ecological Services	203 West Second Street	Grand Island	NE	68801

This page intentionally left blank



Ponca Tribe of Nebraska

P.O. Box 288
Niobrara, NE 68760

402 857-3391
FAX: 402 857-3736

September 16, 2008

Mr. Joel Ames
Tribal Liaison
Omaha District & Northwest Division
U.S. Army Corps of Engineers
1616 Capitol Avenue, Suite 9000
Omaha, NE 68102-4901

Dear Mr. Ames:

The Ponca Tribe of Nebraska would like to appoint the following individual as our contact person on the Highway 12 Project:

Councilwoman Deborah Robinette
P.O. Box 288, Niobrara, NE 68760
Phone 402-841-0579 or 402-857-3391
E-mail address is hixpayskahwauh@yahoo.com

Let me know if you have any questions. Thank you.

Sincerely,

Larry Wright, Jr.
Tribal Chairman

cc: Councilwoman Robinette

This page intentionally left blank



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE-WEHRSPANN
8901 SOUTH 154TH STREET, SUITE 1
OMAHA, NEBRASKA 68138-3621

COPY

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

November 3, 2008

Tribal Operators Director
Iowa Tribe of Kansas and Nebraska
RR 1, Box 721
Perkins, OK 74059

*This letter and its
attachments were sent to
everyone on the distribution
list that follows.*

RE: Project Scoping
Nebraska Highway 12 - Environmental Impact Statement
Permit # - 2004-10258-WEH
NDOR Project No. S-12-5(1001), C.N. 31674
Knox County, Nebraska

Dear Tribal Operators Director:

I am writing you to address the proposed Nebraska Highway 12 (N-12) Niobrara East and West Project (Project) for which the U.S. Army Corps of Engineers (Corps) will act as the lead Federal Agency for the purposes of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA). The Study Area for the Project will parallel the Missouri River starting just east of Verdel, Nebraska and extending southeast through Niobrara, Nebraska to east of S-54D.

The N-12 Project has been in development for several years. Historic flooding and associated road damage due to the proximity of N-12 adjacent to the Missouri River and Lewis and Clark Lake has occurred since the early 1990's. In 1998, the Nebraska Department of Roads (NDOR) completed a study to improve N-12 to alleviate the roadway problems associated with flooding and high water. NDOR developed a draft environmental document for this Project in 2007 and contacted several Tribes during that time. Due to the need for a Section 404 Permit for the potential wetland impacts associated with this Project, the Corps, having regulatory authority concerning Section 404 of the Clean Water Act, will act as the lead federal agency. An Environmental Impact Statement will be developed in compliance with NEPA and Corps guidelines.

Attached you will find documentation which addresses in greater detail the scope of the Project. In general, the enclosures address:

- List of Tribes contacted
- Copy of Notice of Intent
- Information Packet

I believe that these documents will assist you and your staff in making an initial determination regarding your Tribes desired level of involvement in this Project.

As part of our responsibility, I would like to offer you the opportunity to meet and consult on this Project and discuss any comments or concerns that you might have regarding this proposed Project. Please notify me of your Tribe's interest to meet or consult on this Project as well as your Tribe's interest in participating in the Project scoping and planning effort. Upon receipt of this information from you, a representative of the Corps will contact your designated representative to initiate discussions to address your Tribe's desires. If you received any previous correspondence from this office or from the consultant for the Project (HDR Engineering, Inc.), please accept this information as our formal initial project contact. We look forward to your participation in this effort. Please let us know of any special considerations or accommodations you may require to participate effectively. Additionally, please notify me if your Tribe does not wish to participate, so that we may target our mailing list to interested parties.

Thank you for your consideration of this matter. If you have questions or concerns, please contact Matt Wray at (402) 896-0896 or by email at Matt.T.Wray@usace.army.mil or contact Mr. Joel Ames, NWO Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,



John L. Moeschen
Nebraska State Program Manager

Enclosures:

- 1) List of Tribes contacted
- 2) Copy of Notice of Intent
- 3) Information Packet

CF:

Mr. Joel Ames, Corps

are contained in Army Regulations 340–21; 32 CFR part 505; or may be obtained from the system manager.

RECORD SOURCE CATEGORIES:

From the individual; Army records and reports.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. E8–17035 Filed 7–24–08; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Department of the Army

Department of the Army; Corps of Engineers

Availability of Information Bulletin, for a Replacement Lock, Sault Locks Complex, Sault Sainte Marie, MI

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of availability.

SUMMARY: The U.S. Army Corps of Engineers (USACE), Detroit District, is issuing this notice to announce the availability of an Information Bulletin for a proposed Replacement Lock, Sault Locks Complex, Sault Sainte Marie, MI. This bulletin provides information on the National Environmental Policy Act (NEPA) review of the project that was presented in the Great Lakes Connecting Channels and Harbors Final Interim Feasibility Report and Environmental Impact Statement (EIS), 1986 and a Record of Environmental Consideration, 2000. Based upon the review of current site conditions and project plans, it appears that no new environmental impacts or issues have been identified since the 1986 FEIS and the 2000 Record of Environmental Consideration for the project. The planned construction of a second large lock at Sault Sainte Marie, MI, has been adequately assessed in accordance with NEPA and a Record of Decision (ROD) should be signed to allow construction to begin. The Bulletin is being provided for information and to solicit comments on any changed conditions or anticipated impacts that may effect the decision to sign the ROD.

DATES: The Information Bulletin will be available for public review from July 25, 2008 through August 25, 2008. Written comments must be received by September 2, 2008.

ADDRESSES: You may request a copy of the Information Bulletin from Ms. Florence Bissell, Environmental Analysis Branch, U.S. Army Corps of

Engineers, Detroit District, 477 Michigan Avenue, P.O. Box 1027, Detroit, MI 48231–1027.

FOR FURTHER INFORMATION CONTACT: Ms. Florence Bissell at (313) 226–3510 or at florence.k.bissell@usace.army.mil. Written comments are to be provided to Ms. Bissell.

SUPPLEMENTARY INFORMATION:

Construction of a replacement lock at the U.S. Army Corps of Engineers Sault Locks Complex on the St. Mary's River, Michigan was proposed following a 1976 resolution of the Senate Public Works Committee to determine the advisability of providing additional lockage facilities. It was recommended that a lock of greater dimensions replace two smaller locks, the Davis and Sabin Locks, which were constructed during World War I. The proposed lock would be capable of handling the Great Lakes System's largest vessels (Class C) which account for more than half of the potential carrying capacity of the Great Lakes fleet and currently are limited to lockage through the Poe Lock. A disruption of the Poe Lock would result in significant national economic consequences therefore a second lock of the Poe Lock dimensions is needed. Congress has provided, in the Water Resources Development Act of 2007 that such a lock be constructed at Federal expense and funding has been appropriated to initiate construction.

Dated: July 18, 2008.

Les E. Weigum,

Chief, Environmental Analysis Branch.

[FR Doc. E8–17073 Filed 7–24–08; 8:45 am]

BILLING CODE 3710–GA–P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent To Prepare an Environmental Impact Statement for Nebraska; Department of Roads Nebraska Highway 12 Niobrara East and West Project

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: The U.S. Army Corps of Engineers (Corps) is preparing an Environmental Impact Statement (EIS) to analyze the direct, indirect and cumulative effects of a proposed Nebraska State Highway project, Nebraska Highway 12 Niobrara East and West Project (project), by the Nebraska Department of Roads (NDOR). The project will provide a safe regional transportation corridor that meets

Nebraska State Highway design standards. The project is needed due to interrupted use, high maintenance, roadway stability issues, driver safety during high water events, and the importance of maintaining Nebraska Highway 12 as a regional transportation corridor. Alternatives under consideration include: (1) Taking no action; (2) re-construction on existing alignment; (3) providing a new two-lane highway on new alignment; (4) reducing or eliminating existing flooding through evaluation of methods to reduce Lewis and Clark Lake elevation through operations and/or maintenance. NDOR and Corps have not selected a project alternative but will be exploring a range of alternatives through the National Environmental Policy Act (NEPA) process. Additional alternatives will be considered during the NEPA process. Construction of the project is expected to result in temporary and permanent impacts to jurisdictional waters of the United States, thereby requiring a Clean Water Act section 404 permit.

The Corps has prepared a scoping document to familiarize other agencies, the public and interested organizations with the preliminary project alternatives and potential environmental issues that may be involved. The scoping document includes a description of the problems that create the need for the project, a preliminary list of project alternatives, and various environmental/resource issues that will be addressed in the EIS. Copies of the scoping document will be available at the public scoping meeting or can be requested by mail. The EIS will be prepared according to the Corps' procedures for implementing the National Environmental Policy Act (NEPA) of 1969, as amended, 42 U.S.C. 4332(2)(c), and consistent with the Corps' policy to facilitate public understanding and review of agency proposals.

DATES: A public scoping meeting will be held on August 28, 2008, from 6 p.m. to 8:30 p.m.

ADDRESSES: The public scoping meeting will be held at the WFLA Conference Center located on Spruce and Park Avenue in, Niobrara, NE 68760.

FOR FURTHER INFORMATION CONTACT: Questions regarding the proposed action and EIS should be addressed to Matt Wray, Project Manager, U.S. Army Corps of Engineers, Nebraska Regulatory Office, Wehrspann Field Office, 8901 S. 154th Street, Omaha, NE 68138–3621 or at (402) 896–0896; Matt.T.Wray@usace.army.mil.

SUPPLEMENTARY INFORMATION: The Nebraska Department Roads (NDOR) is

responsible for providing a safe, efficient, affordable, environmentally compatible and coordinated statewide transportation system for the movement of people and goods. NDOR has identified two segments of Nebraska Highway 12 that have experienced flooding and damage due to high water levels associated with the Missouri River. Segment 1 is approximately 6.4 miles long and extends from just east of Verdel on the west end to 2 miles west of the bridge over the Niobrara River. Segment 2 is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara to approximately 1 mile east of S-54D. Problems associated with this portion of Nebraska Highway 12 include high maintenance, driver safety, and disruption in use. The following summarizes the issues that create these problems:

Roadway Stability: Due to high water levels and overtopping of Nebraska Highway 12 in the project area, the stability of the roadway is threatened. Gavin's Point Dam on the Missouri River was built in the 1950's near Yankton, South Dakota, creating Lewis and Clark Lake (lake). The lake has caused the water table adjacent to the Missouri River to rise. Nebraska Highway 12, which runs parallel to the Missouri River, is affected where it crosses into the Missouri River floodplain east and west of Niobrara, Nebraska. About eight miles of Nebraska Highway 12 runs through the floodplain. About half of this length is located to the east and half to the west of Niobrara, in Knox County, Nebraska. The distance between Nebraska Highway 12 and the Missouri River bank differs, but some areas are as close as two to three thousand feet. Due to the location of Nebraska Highway 12, the following road related issues are present:

(1) **Roadway inundation:** When high water events occur on the Missouri River, portions of Nebraska Highway 12 are under water. This jeopardizes the integrity of the roadway due to saturation of the roadway bed. This can create roadway sloughing and potential for failure. Bazile Creek enters the river east of Niobrara, NE where it intersects Nebraska Highway 12. During high water events on Bazile Creek, Nebraska Highway 12 becomes flooded. The flooding has occurred numerous times in the past.

(2) **Roadway saturation:** High water levels adjacent to Nebraska Highway 12 are the result of the lake. The lake is a man-made reservoir located behind Gavin's Point dam. The lake has contributed to the rising water table throughout the floodplain where

Nebraska Highway 12 is located. In addition, system releases from upstream reservoirs as part of the Missouri River mainstem system, can provide constant water levels. Additionally, large releases of water can sometimes last for many months causing roadway saturation. The increased silt load coming into the lake from the Missouri River tributaries, primarily the Niobrara River and Bazile Creek also contributes to roadway saturation. The confluence of the Niobrara River and the Missouri River is just west of the town of Niobrara. The water from these tributaries slows as they enter the Missouri River and sediment is deposited creating a fill area that restricts the channel and raises the bed of the river. This causes the area of the lake to increase in dimension as well as raising the water table. High water levels create conditions of long-term saturation of the roadway embankment, thus creating the potential for roadway embankment erosion.

Driver Safety: Portion of Nebraska Highway 12 are exposed to regular flooding. Roadway flooding is a concern for driver safety because even if the road is marked closed, motorists may choose to drive through flooded roadways. Nebraska Highway 12 in this location does not have lighting and the inherent dangers of driving through flooded roadways exist. In 1995, the Corps implemented an interim fix by raising the gradeline of Nebraska Highway 12 by several feet on two short highway segments to alleviate the immediate flooding problems. The resultant roadway is narrow with shoulders that are not adequate in width, and steep foreslopes. Cable guardrail was installed to help protect vehicles from running off the road and into the water. Due to the narrow roadway, the cable guardrail is close to the edge of the driving lane.

A public scoping meeting will be held (see **DATES**) to describe why the project is needed, preliminary alternatives, the NEPA compliance process and to solicit input on the issues and alternatives to be evaluated and other related matters. Written comments will also be requested. The Corps has invited the U.S. Environmental Protection Agency, National Park Service, U.S. Fish and Wildlife Service, and Knox County to be cooperating agencies in the formulation of the EIS.

John L. Moeschén,

Nebraska State Program Manager, Regulatory Branch.

[FR Doc. E8-17077 Filed 7-24-08; 8:45 am]

BILLING CODE 3710-62-P

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Notice of Availability of the Draft Supplemental Environmental Impact Statement (DSEIS) for the Nourishment of 25,000 Feet of Beach in Topsail Beach, Pender County, NC

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of availability.

SUMMARY: The U.S. Army Corps of Engineers (USACE), Wilmington District, Wilmington Regulatory Field Office has received a request for Department of the Army authorization, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act, from the Town of Topsail Beach to conduct a one-time interim beach fill project to protect oceanfront development and infrastructure until such time that a federally authorized shore protection project can be implemented. While federal budget priorities have made it difficult to obtain funds for civil works projects in general and beach protection projects in particular, the projected earliest construction date for the federal project is 2012. A Draft General Reevaluation Report—Environmental Impact Statement (GRR-EIS) has been prepared by the USACE and was released for public review and comment in June 2006 (USACE, 2006). Given the current status of the GRR-EIS and the need for Congressional authorization, funding, preparation of plans and specifications, and right-of-way acquisition, the federal project may not be implemented until Fiscal Year 2012, or possibly later. Accordingly, the Town would like to construct an interim project to protect its development and infrastructure during the period between now and the time the federal project is constructed. In order to account for any possible delays in the construction of the federal project, a construction date of 2016 was used in the development of the alternatives and economic analysis for the interim project. This would maintain the baseline conditions described in the Draft GRR and EIS.

ADDRESSES: Copies of comments and questions regarding the DSEIS may be addressed to: U.S. Army Corps of Engineers, Wilmington District, Regulatory Division. ATTN: File Number SAW-2006-40848-071, Post Office Box 1890, Wilmington, NC 28402-1890.



Information Packet

Nebraska Highway 12 – Niobrara East and West

Environmental Impact Statement

2004-10258-WEH

S-12-5 (1011), C.N. 31674

November 2008



Information Packet

This Information Packet provides background information leading up to the decision by the U.S. Army Corps of Engineers (the Corps) to commence the National Environmental Policy Act of 1969 (NEPA) process for the proposed improvements of Nebraska Highway 12 (N-12) from Verdel to near the Santee Spur (S-54D) in Knox County, Nebraska (Project).

PROJECT DESCRIPTION

This Project consists of developing an Environmental Impact Statement (EIS) for the proposed improvement or relocation of Nebraska Highway 12 (N-12) to provide a reliable, stable, and safe roadway. Two segments of existing N-12 have experienced flooding and damage due to high water levels associated with the Missouri River. Segment 1 is approximately 6.4 miles long and extends from just east of Verdel, Nebraska on the west end to 2 miles west of the bridge over the Niobrara River. Segment 2 is approximately 6 miles long and extends from just east of Spruce Avenue in Niobrara, Nebraska to approximately 1 mile east of S-54D (see Figure 1). The area of study for the Project (Study Area) includes the existing N-12 alignment as well as areas south of the existing alignment on the bluffs of the Missouri River (see Figure 2).

A notice of intent to initiate the EIS was published in the Federal Register on July 25, 2008. The EIS will evaluate various alternatives within the Study Area, including alternatives outside of the existing alignment. In addition to the build alternatives identified, the No-Action Alternative (that is, an alternative that does not improve N-12) will also be evaluated.

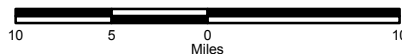
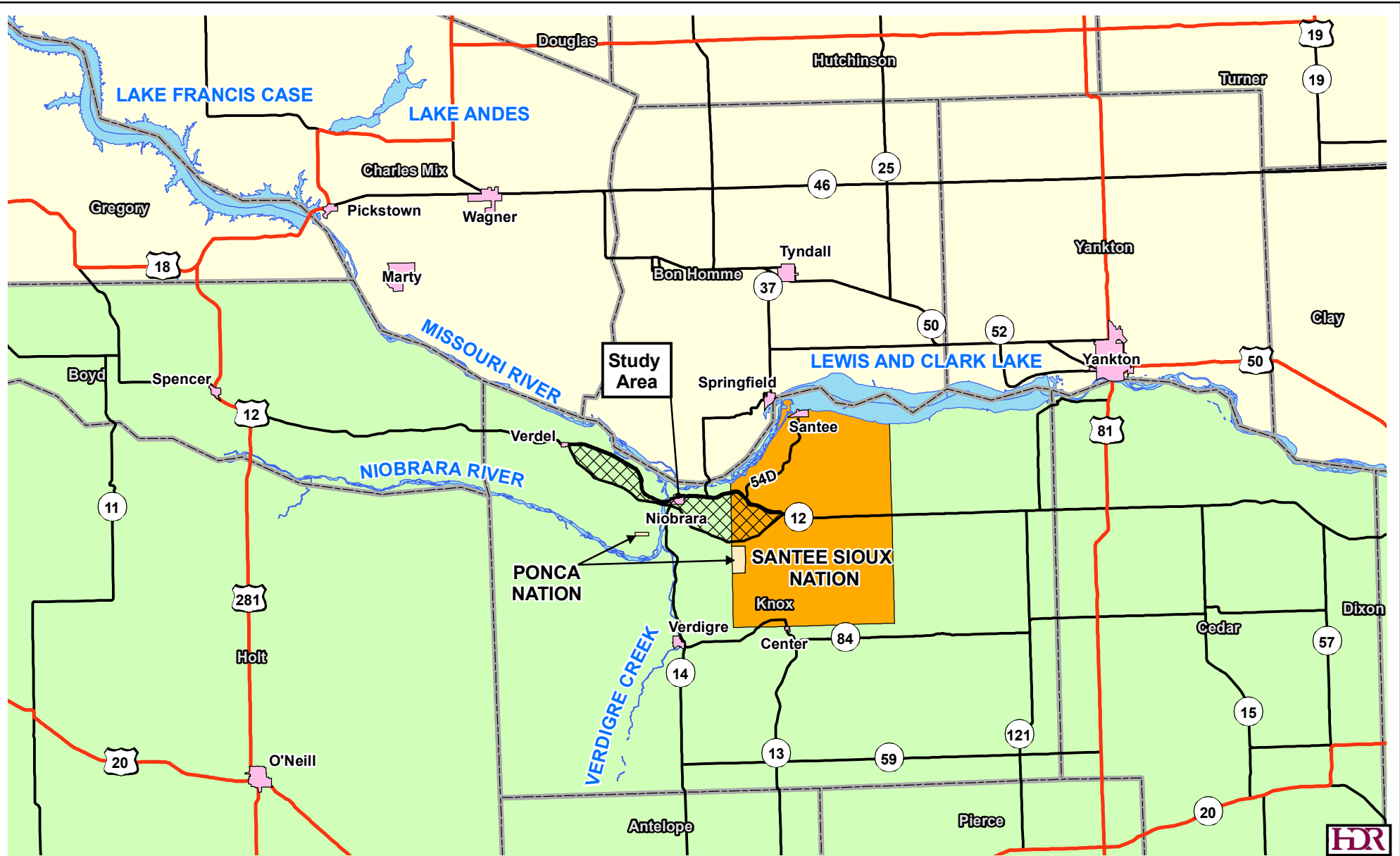
PURPOSE AND NEED OF THE PROPOSED ACTION

Basic Project Purpose

For the purpose of definition under Section 404 of the Clean Water Act, the basic purpose of the Project is to provide continuity of east-west transportation in northeastern Nebraska. As such, this Project is not water-dependant, and therefore, alternatives that do not involve impacts to waters of the United States (U.S.) are presumed to be available (40 CFR 230.10(a)(3)). The Corps must determine if the applied-for project complies with Section 404 of the Clean Water Act. This entails the Corps making two findings: 1) Does the applied-for project comply with Section 404(b)(1) guidelines?; and 2) Is the applied for project not contrary to the public interest?

Compliance with section 404(b)(1) guidelines (40 CFR 230.10) requires the Corps to make the following determinations:

- the project is the least environmentally damaging practicable alternative
- the project will not cause or contribute to the violation of applicable state or Federal laws, such as water quality standards or the Endangered Species Act
- the project will not result in significant degradation of waters of the United States
- any appropriate and practicable steps have been taken to minimize the adverse impacts of the project on wetlands and other waters



Project Vicinity Map

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Study



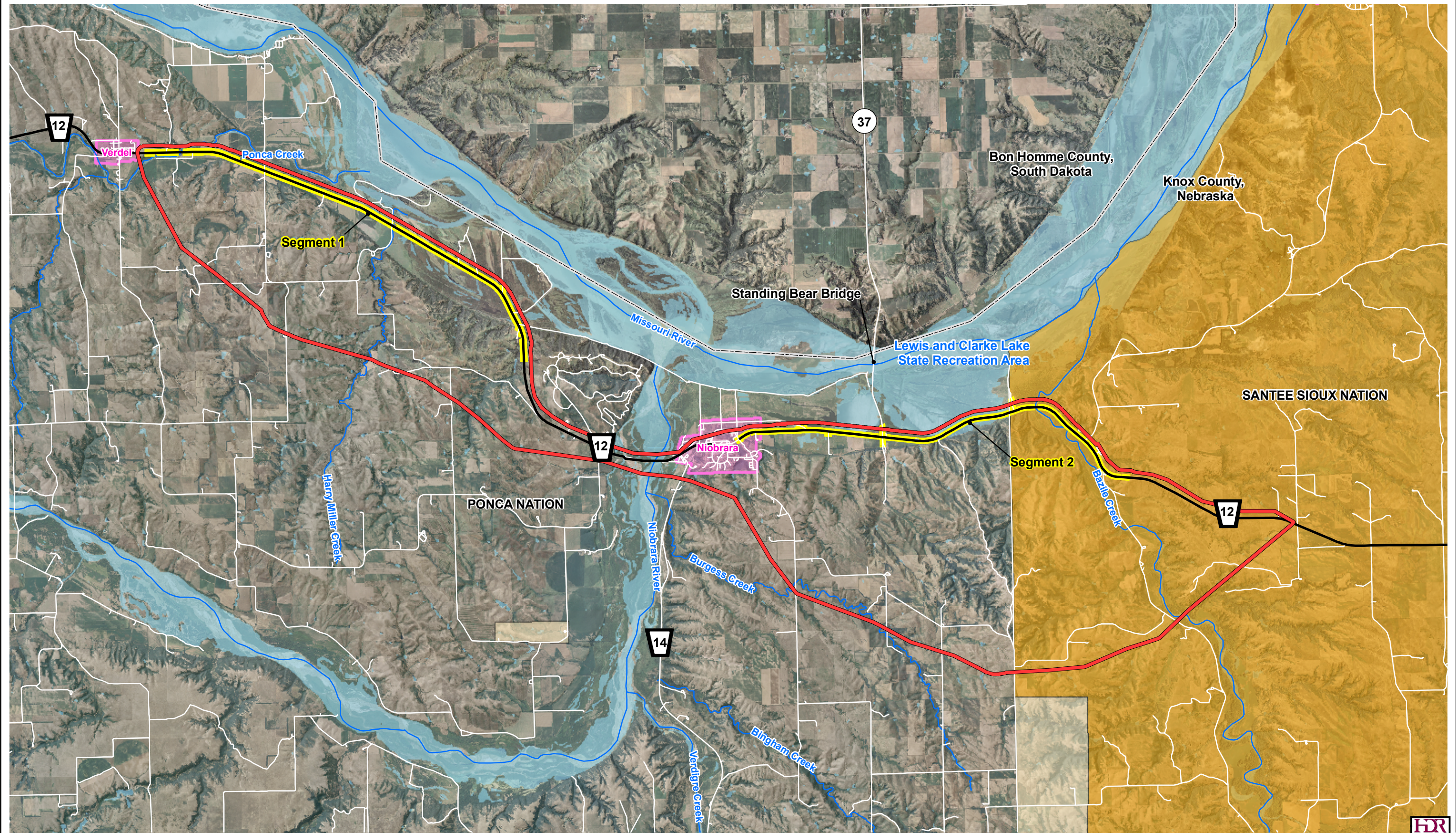
DATE

November 2008

FIGURE

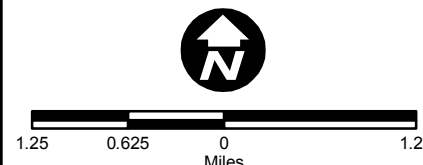
1

This page intentionally left blank



Aerial Imagery: 2006 NAIP, Knox County, Nebraska

Legend	
N-12 Segments	Study Area
Nebraska Highway 12	Waterways
Roads	City Limits
Counties	NWI
	Reservation
	Ponca Nation
	Santee Sioux Nation



Project Location Map

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Statement

DATE
November 2008
FIGURE
2

This page intentionally left blank

The Corps' public interest review requires that the careful weighing of all public interest factors relevant to each particular permit application. Thus, one specific factor (e.g., fish and wildlife values or economics) cannot by itself force a specific decision, but rather the decision represents the net effect of balancing all public interest factors, many of which are frequently in conflict. Public interest factors include socio-economic resources, natural resources, aesthetics, safety, considerations of property ownership, and the needs and welfare of the people.

In order for the Corps to approve a Section 404 Permit application for the Project, the findings must meet the Section 404(b)(1) guidelines and show that the Project is not contrary to the public interest. The alternatives available to the Corps are: Issue the permit; Deny the permit application; Issue the permit with modifications.

Overall Project Purpose

The overall Project purpose is to provide a reliable and safe roadway that meets the existing and projected traffic needs for the region. This Project purpose will be used to evaluate the full range of alternatives under Section 404 (b)(1) guidelines.

The need for Project is based on the following problems and/or concerns caused by the high water levels and flooding: instability of the existing roadway; driver hazard; roadway maintenance countermeasures; and traffic disruption.

1. Roadway Stability

Due to high water levels and overtopping of N-12 in the Study Area, the stability of the roadway is commonly threatened. Gavin's Point Dam on the Missouri River was built in the 1950s near Yankton, South Dakota, thus creating Lewis and Clark Lake (the Lake). The lake has caused the water table adjacent to the Missouri River to rise. N-12, which runs parallel to the Missouri River, is affected where it crosses into the Missouri River floodplain east and west of Niobrara, Nebraska. Approximately eight miles of N-12 runs through the floodplain. About half of this length is located to the east and half to the west of Niobrara, in Knox County, Nebraska. The distance between N-12 and the Missouri River bank differs, but some areas are as close as two to three thousand feet. Due to the location of N-12, roadway overtopping and prolonged high water levels are common. Reasons for these conditions are:

- Missouri River Mainstem Releases - System releases from upstream reservoirs as part of the Missouri River mainstem system can provide constant high water levels and large releases of water can sometimes maintain high water levels for many months.
- Sedimentation - The increased silt load coming into the Lake from the Missouri River tributaries (primarily the Niobrara River and Bazile Creek) has caused sedimentation of the Lake. The confluence of the Niobrara River and the Missouri River is just west of Niobrara, Nebraska. The waters slow and sediment is deposited creating a fill area that restricts the channel and raises the bed of the both rivers. This is causing the area of the Lake to increase in dimension as well as raising the water table. This action has also reduced the size (and therefore capacity) of bridge openings.

Overtopping has occurred several times in the Bazille and Ponca Creek areas in the past. Bazile Creek enters the river east of Niobrara, Nebraska where it intersects N-12. Ponca Creek

intersects N-12 and enters the river west of Niobrara, Nebraska. Over-topping jeopardizes the integrity of the roadway due to shoulder and embankment damage.

High water levels create conditions of routine and persistent flooding and long-term saturation of the roadway embankment, thus creating roadway shoulder and embankment damage during overtopping events and the potential for roadway embankment erosion during saturation.

2. *Driver Hazard*

As described above, N-12 in the Study Area is exposed to regular flooding. Roadway flooding is a concern for driver safety as even if the road is marked closed, motorist may choose to drive through flooded roadways. N-12 in this location does not have lighting and the inherent dangers of driving through flooded roadways exist, especially during times of poor visibility.

In 1995, the Corps implemented an interim fix by raising the gradeline of N-12 by several feet on two short highway segments to alleviate the flooding problems. The resultant roadway is narrow that has shoulders of inadequate width and steep sideslopes. Cable guardrail was installed to help protect vehicles from leaving the road and driving into the water. Due to the narrow roadway, the cable guardrail is close to the edge of the driving lane. These conditions create hazards for the traveling public.

3. *Continuous Roadway Maintenance*

Roadway maintenance has occurred in the past (see above #2 above) to repair roadway damage due to high water levels and/or flooding. Until a solution is implemented, continuous roadway maintenance will be required to repair damage caused by high water levels and/or flooding of the roadway.

4. *Need for Reliable Roadway*

N-12 is an east-west roadway in northeastern Nebraska that provides a route for local and thru vehicle traffic. N-12 is situated among the northern portions of counties in Nebraska. As there are limited resources in this area which provide for east-west vehicle traffic movement, N-12 provides a vital link of travel for adjacent rural residents and traffic traveling east-west through northeastern Nebraska.

ALTERNATIVES

Because the Project, as determined by the basic Project purpose, is not water dependent, an alternative is presumed to be available that does not impact waters of the U.S. Therefore, avoidance alternatives will be considered. All alternatives will be reviewed for the practicability based on 404 (b)(1) guidelines. Alternatives under consideration include: (1) Taking no action; (2) re-construction on existing alignment; (3) providing a new two-lane highway on new alignment; (4) reduce or eliminate the flooding/high water level problem through evaluation of methods to reduce Lewis and Clark Lake elevation through operations and/or maintenance. NDOR and the Corps have not selected a Project alignment but will be exploring alternatives through the National Environmental Policy Act (NEPA) process to result in a preferred alternative. Additional alternatives will be considered during the NEPA process. Construction of the N-12 Project is expected to result in temporary and permanent impacts to jurisdictional waters of the U.S., thereby requiring a Clean Water Act Section 404 permit.

ANTICIPATED IMPACTS

During the course of the EIS process, potential direct and indirect impacts to a wide spectrum of resources will be evaluated. Resources to be evaluated include land use, farmland, social resources (including environmental justice, community impacts, and public services and facilities), acquisitions and relocations, utilities, economic impacts, recreation, noise, water quality, wetlands and waters of the U.S., floodplains, fish and wildlife, threatened and endangered species, cultural resources, regulated materials, and visual impacts. The Project is within the boundaries of the Missouri National Recreation River and is near the boundaries of the Niobrara National Scenic River. Short-term impacts relative to construction will also be discussed for each of these resources, when applicable. An evaluation of cumulative impacts will also be performed for the EIS and address other transportation projects in the study area, as well as projects proposed by other entities.

DEVELOPMENT PROCEDURES

The Project is being developed by NDOR in cooperation with the Corps. Due to the need for a Section 404 Permit, the Corps, having regulatory authority concerning Section 404 of the Clean Water Act, is the lead federal agency. An EIS will be developed in compliance with NEPA and Corps guidelines. When completed, the Draft EIS will be circulated to appropriate federal, tribal, state, and local resource/regulatory agencies and the interested public, for their review and comment.

The Project will be led by the Corps and will apply components of NDOR/Federal Highway Administration (FHWA)/Corps NEPA/404 Merge Process, including written concurrence at four points in the Project development process. These points are: Purpose and Need; Alternatives Carried Forward; Selected Alternatives; and Impact Minimization. The anticipated timeframe for each concurrence point in the Project development process are listed in the table below:

Proposed NEPA/404 Merge Process Schedule		
Concurrence Point	Stage of Development	Estimated Date
1. Purpose and Need	Following agency scoping and first public information meeting	December 2008
2. Alternatives Carried Forward		
2a. Range of Alternatives	During development of the alternatives chapter of the Draft EIS	December 2008
2b. Alternatives Carried Forward	Following 404 (b)(1) screening for practicability	February 2009
3. Selected Alternative	Following response to comments on the Draft EIS	February 2010
4. Impact Minimization	Following response to comments on the Draft EIS	February 2010

In addition, there will also be several public involvement activities to provide information to the public and to receive input on the Project. This includes a Project newsletter, public information

meetings, and information on the NDOR website. The first Project newsletter was distributed prior to the first public meeting (held on August 28, 2008). The newsletter and all the information presented at the public meeting, including the meeting handout, and copies of the Project information boards and scrolls will be placed on a Project website within the NDOR main website. Contact information for the Corps and HDR will be made available. A second Project newsletter will be distributed prior to the second public meeting on the Draft EIS. The anticipated timeframe for the Public Hearing is October 2009.

Other formal opportunities to comment on the Project will occur at the Nebraska NEPA/404 Merge process concurrence points (listed in the table, above), at public information meetings, and public hearings held throughout the Project. Several federal, state, and local agencies will also be contacted directly to request their early input into the impact identification process.

Salutation	First	Last	Title	MAIL ADD 1	MAIL ADD 2	MAIL ADD 3	State	ZIP CODE
Mr.	Homer	Bear, Jr.	Chairman	Sac & Fox Nation of Missouri in Iowa	349 Meskwaki Road	Tama	IA	52339
Mr.	Marcus	Wells, Jr.	Chairman	Three Affiliated Tribes (MHA Nation)	404 Frontage Road	New Town	ND	58763
Mr.	Ron	His-Horse-Is-Thunder	Chairman	Standing Rock Sioux Tribe	P.O. Box D	Ft. Yates	ND	58538
Ms.	Myra	Pearson	Chairperson	Spirit Lake Sioux Tribe (Mni Wakan Oyate)	P.O. Box 359	Ft. Totten	ND	58335
Mr.	Robert	Campbell	Treasurer	Santee Sioux Tribe of Nebraska	108 Spirit Lake Avenue West	Niobrara	NE	68760
Mr.	David Lee	Smith	Tribal Historian	Winnebago Tribe of Nebraska	100 Bluff Street, P.O. Box 687	Winnebago	NE	68071
Mr.	Antoine	Provost	NAGPRA Coordinator	Omaha Tribal Council	PO Box 368	Macy	NE	60839
Ms.	Deborah	Robinette	Councilwoman	Ponca Tribe of Nebraska	PO Box 288	Niobrara	NE	68760
Mr.	Roger	Trudell	Chairman	Santee Sioux Tribe	425 Frazier Ave N., Suite 2	Niobara	NE	68760
Ms.	Eleanor	Baxter	Chairman	Omaha Tribe of Nebraska	P.O. Box 400	Macy	NE	68039
Mr.	Matthew	Pilcher	Chairman	Winnebago Tribe of Nebraska	P.O. Box 687, 100 Bluff Street	Winnebago	NE	68071
Ms.	Alice	Alexander	Historic Preservation Officer	Pawnee Nation of Oklahoma	P.O. Box 470	Pawnee	OK	74058
		Sir or Madam		Otoe-Missouri Tribe	PO Box 68	Red Rock	OK	74651
		Tribal Operators Director		Iowa Tribe of Kansas and Nebraska	RR 1, Box 721	Perkins	OK	74059
Mr.	Robert	Chapman	Director	Pawnee Nation of Oklahoma	P.O. Box 470	Pawnee	OK	74058
Mr.	Dan C.	Jones	Chairman	Ponca Tribe	20 White Eagle Drive	Ponca City	OK	74601
Ms.	Kay	Rhoads	Principle Chief	Sac & Fox Nation of Oklahoma	Route 2, Box 246	Stroud	OK	74079
Mr.	Robert	Cournoyer	Chairman	Yankton Sioux Tribe	P.O. Box 248	Marty	SD	57361
Ms.	Cecelia	Firethunder	President	Oglala Lakota Tribe	Oglala Sioux Tribal Council P.O. Box 2070	Pine Ridge	SD	57770

Mr.	Willie	Kindle	President	Rosebud Lakota Tribe	P.O. Box 430	Rosebud	SD	57570
Mr.	Michael	Jandreau	Chairman	Lower Brule Sioux	P.O. Box 187	Lower Brule	SD	57548
Mr.	Mike	Selvage	Chairman	Sisseton-Wahpeton Sioux	P.O. Box 509	Agency Village	SD	57262-0509
Mr.	Josh	Weston	Chairman	Flandreau Santee Sioux	P.O. Box 283	Flandreau	SD	57028



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE-WEHRSPANN
8901 SOUTH 154TH STREET, SUITE 1
OMAHA, NEBRASKA 68138-3621

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

April 17, 2009

SEE ADDRESSEES

RE: Meeting Request
Nebraska Highway 12 – Environmental Impact Statement
Permit # - 2004-10258-WEH
NDOR Project No. S-12-5(1001), C.N. 31674
Knox County, Nebraska

Dear ADDRESSEE:

The U.S. Army Corps of Engineers (Corps) would like to request a meeting on the range of alternatives, the alternative screening process and the preliminary results of the alternative screening that identifies the alternatives to be carried forward for further evaluation in the Environmental Impact Statement (EIS) for the Nebraska Highway 12 (N-12) Niobrara East & West Project (Project).

The Corps developed a range of alternatives following the agency and public scoping meetings. Not all of the alternatives developed in the initial range will be carried through the EIS for detailed environmental damage analysis. In order to determine which alternatives would be carried through the EIS, the Corps implements a screening process to determine which of the initial range of alternatives have the potential of meeting the Project purpose and need and could practicably be constructed. Based on this screening process, the Corps has preliminarily determined four alternatives will be carried forward (see enclosed map):

- Parallel Alignment
- Base of Bluffs Alignment
- Bluffs Alignment
- South of Bluffs Alignment

The Corps has scheduled a public meeting on June 2, 2009 from 6:00 to 8:30 p.m. in the WFLA Hall in Niobrara to discuss the range of alternatives, the screening process, and the alternatives carried forward in the EIS. Anyone is welcome to attend.

The Corps would request the opportunity to meet with you to discuss the alternatives and the screening process and discuss any comments or concerns that you might have. The Corps will be in Niobrara, NE and would be available to meet from 8:00 a.m. to 2:00 p.m. on Tuesday, June 2, or from 8:00 a.m. to 12:00 p.m. on Wednesday, June 3. Alternatively, the Corps would travel to a location and at a day/time of your choosing for the meeting. Please notify me of your interest to meet during any of the proposed times, or at a time of your choosing.

Thank you for your consideration of this matter. If you have any questions or would like to discuss the project in more detail, please contact Matt Wray at (402) 896-0896 or by email at Matt.T.Wray@usace.army.mil or contact Joel Ames, NWO Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely yours,

John L. Moeschen
Nebraska State Program Manager

Enclosures:
Map of Alternatives Carried Forward

CF:
Mr. Joel Ames, Corps

ADDRESSEES:

Ms. Deborah Robinette
Councilwoman
Ponca Tribe of Nebraska
P.O. Box 288
Niobrara, Nebraska 68760

Mr. Roger Trudell
Chairman
Santee Sioux Tribe
425 Frazier Ave N, Suite 2
Niobrara, Nebraska 68760

Ms. Tammie Poitra
Superintendent
Bureau of Indian Affairs – Winnebago Agency
Route 1, Box 18
Winnebago, Nebraska 68071

This page intentionally left blank



ALTERNATIVES SCREENING

for the N-12 Niobrara East & West Project





PURPOSE OF TODAY'S MEETING

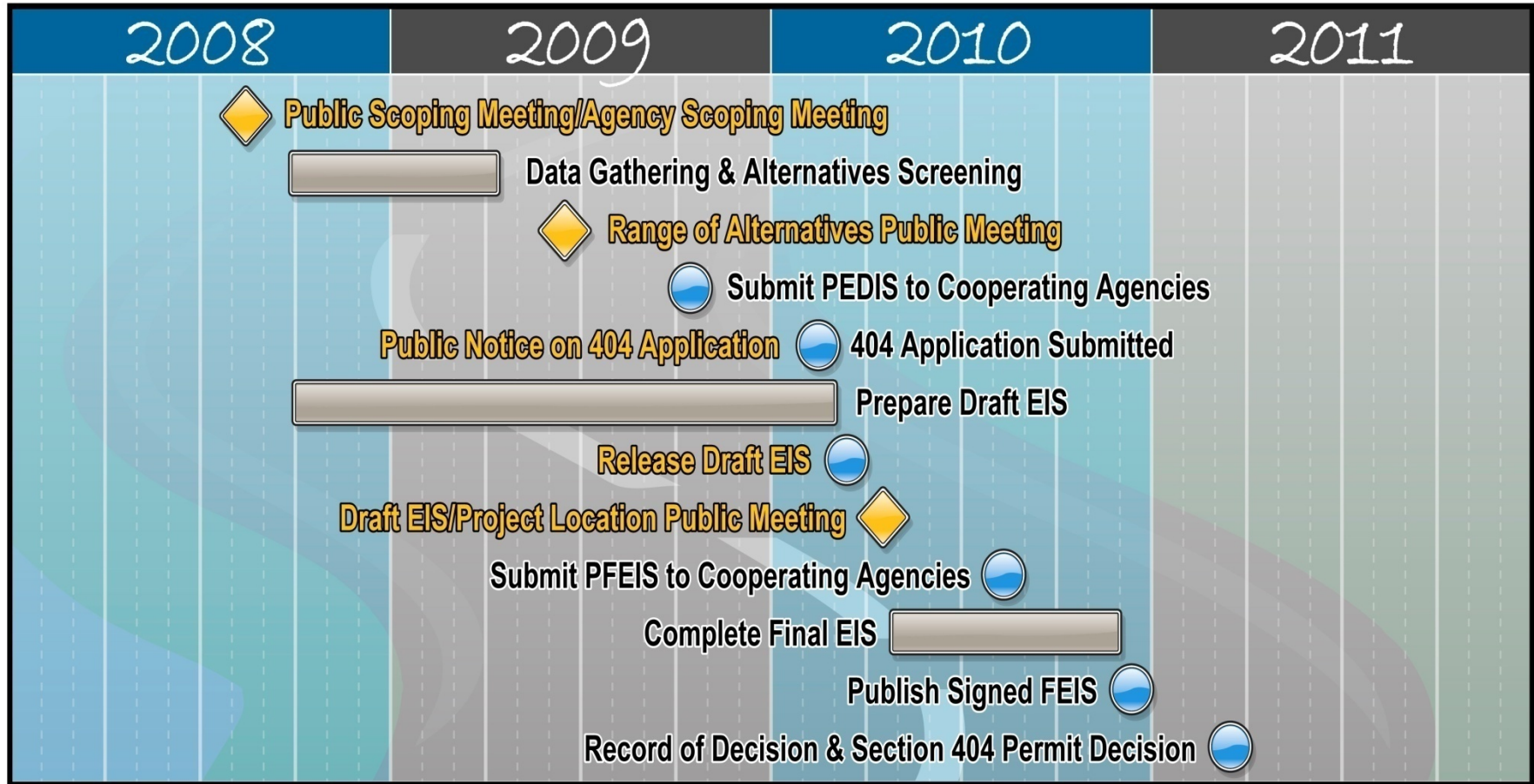
- Present the range of alternatives
- Discuss the screening process
- Gather your input on alternatives






N-12 NIOBRARA EAST & WEST PROJECT

EIS SCHEDULE



 : Formal Opportunity for Public Comment/Involvement. Note: Public Input Welcome Throughout Process.





GENERAL CONCEPTS

- **Concept A, Roadway Alignments in the Missouri River Floodplain**
- **Concept B, Roadway Alignments not in the Missouri River Floodplain**
- **Concept C, Missouri River Mainstem System Operational Changes**
- **Concept D, Lewis and Clark Lake Sediment Removal**





ARE THE CONCEPTS REASONABLE?

- Roadway alignments in and out of the Missouri River floodplain are reasonable
- Operational changes (flushing or dam decommissioning) would not be reasonable
 - Changes to Master Manual
 - Act of Congress
- Sediment removal from Lewis and Clark Lake would not be reasonable
 - Dredging every year for lifespan of roadway
 - High cost





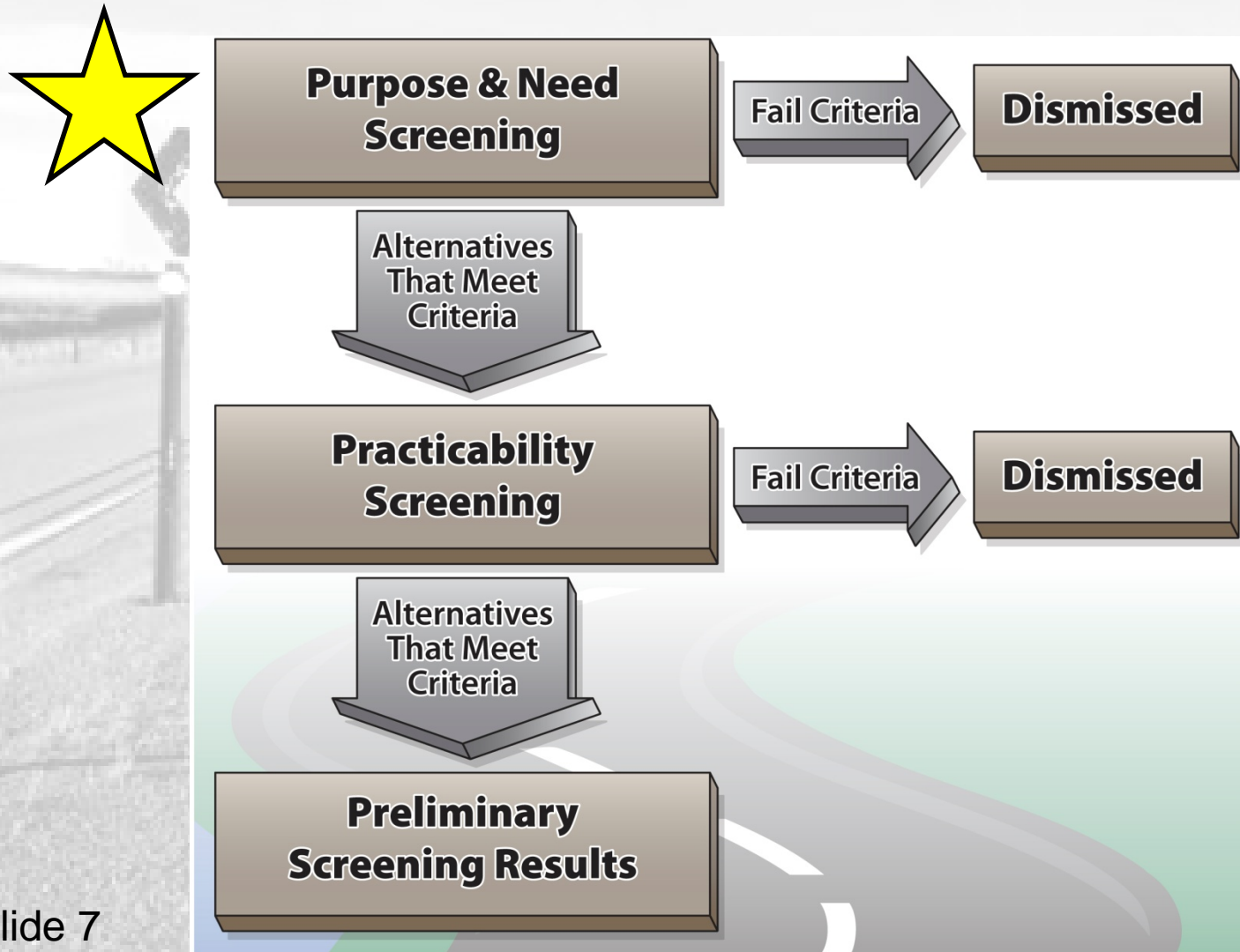
RANGE OF ALTERNATIVES

- **No-Action Alternative**
- **Existing Alignment – Detour**
- **Existing Alignment – One-Way Traffic**
- **Parallel**
- **Base of Bluffs**
- **Bluffs**
- **South of Bluffs**





ALTERNATIVE SCREENING PROCESS





PROJECT PURPOSE AND NEED

What is the purpose of the N-12 Project?

- Provide a reliable roadway
 - Reduce closures and maintenance due to flooding
- Safely accommodate current and future traffic levels
 - Eliminate roadway deficiencies
 - Reduce driver hazard
- Maintain regional connectivity

Why is the N-12 Project needed?

- Driven by flooding
- Unreliable roadway, safety concerns, interruption in regional connectivity





PURPOSE AND NEED SCREENING CRITERIA

Reliable roadway

- Reduce or eliminate closures and maintenance due to flooding

Safely accommodates traffic

- Meet NDOR roadway design standards
- Reduces or eliminates driver hazard during flooding

Maintain regional connectivity

- Provide a link for the traveling public using N-14 and county roads, accessing Niobrara





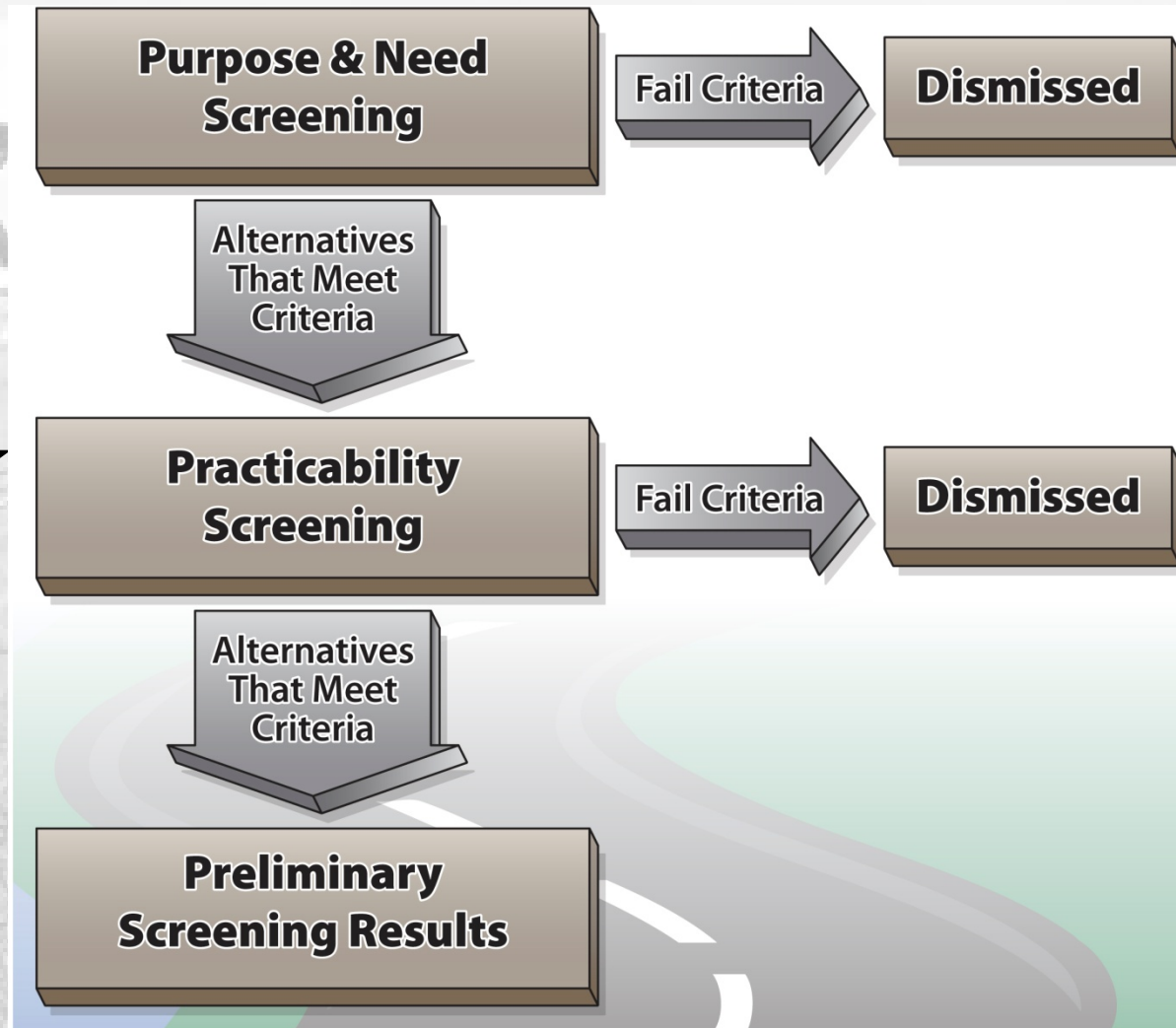
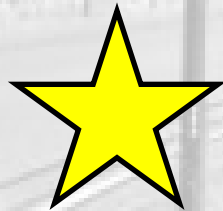
ALTERNATIVES THAT MEET PURPOSE AND NEED

- **Grade Raise on Existing Alignment – Detour**
- **Grade Raise on Existing Alignment – One-Way Traffic**
- **Parallel**
- **Base of Bluffs**
- **Bluffs**
- **South of Bluffs**





ALTERNATIVE SCREENING PROCESS





PRACTICABILITY SCREENING CRITERIA

Cost

- Grading
- ROW/acquisition
- Structures
- Roadway
- Demolition
- Resident and recreation Access

Logistics

- Use of Tribal land
- Section 7(a) Evaluation, Wild and Scenic River
- Use of Corps land
- Construction phasing and safety

Technology

- No applicable technology considerations





PRELIMINARY PRACTICABILITY SCREENING CONSIDERATIONS

- Cost not a differentiating factor
- Logistics (Bluffs and South of Bluffs)
 - No eminent domain authority
 - Tribal support of an alternative key in acquiring use of tribal land
 - Santee Sioux on record supporting alternatives on existing alignment only
 - Bluffs Alternative east of Niobrara could be altered for tribal support
 - South of Bluffs Alternative requires modification for tribal support, defeats purpose of alternative





PRELIMINARY PRACTICABILITY SCREENING CONSIDERATIONS

- Logistics (Existing Alignment)
 - Concerns with lengthy detours
 - Concerns with detours onto county gravel roads (school buses, emergency vehicles)
 - Concerns with construction phasing
 - Concerns with maintaining one lane while constructing elevated roadway





NEXT STEPS

- **Hold public meeting in early July**
- **Evaluate screening process and results based on tribal, public, and agency comment**
- **Continue environmental analysis of alternatives carried forward**
- **Draft Environmental Impact Statement scheduled for release in Spring 2010**
- **Draft EIS Public meeting to be held in Spring 2010**



This page intentionally left blank

Project:	Nebraska Highway 12 EIS	USACE Project No:	2004-10258-WEH
Transmitted to:	Matt Wray, USACE	NDOR Project No:	S-12-5(1011) CN 31674
Subject:	Ponca Tribe of Nebraska- Tribal Council		
Meeting Date:	May 30, 2009	Meeting Location:	South Sioux City, NE

Attendees:

Ponca Tribe of Nebraska Tribal Council
John Moeschen, Joel Ames, Matt Wray - Corps of Engineers
Matt Pillard - HDR

Topics Discussed:

Matt Pillard provided a background of the project, discussion of screening and schedule.

Main issues that the Ponca Tribe had dealt with the bluffs alignments in Segment 1. This area is of great significance to the tribe for two reasons:

- 1) Cultural properties
- 2) Plans for economic development

It was discussed that to help with screening, Ponca Tribe could provide some general areas of cultural interest and potential areas for development. The cultural locations are protected, but Joel Ames provided that the Corps would develop a document of non-disclosure for purposes of protecting the information relative to economic development. The Tribe would be OK with this. The Corps will provide better mapping to show the corridors of the two bluffs alternatives.

The Tribe did not support one bluffs alternative over the other, but would prefer the road to stay where it is. They asked about pierced roadways. Matt Pillard provided that this was looked at in context with the benefits it would provide. Agencies were consulted and improvements were suggested to NDOR for the floodplain alternatives. This has not yet been reviewed by agencies.

The Corps asked the tribe to provide a written position on the project by mid July.

Project:	Nebraska Highway 12 EIS	USACE Project No:	2004-10258-WEH
Transmitted to:	Matt Wray, USACE	NDOR Project No:	S-12-5(1011) CN 31674
Subject:	Santee Sioux Tribe Meeting		
Meeting Date:	June 3, 2009	Meeting Location:	Santee Sioux Tribe – Ohiya Casino

Attendees:

Santee Tribe - Mike Crosely (economic development director); Lee Ickes, Rober Cambell (council treasurer), Cara Jones (secretary), Fexlix Kidda (council and environmental coordinator), Cindy Hueple (council member)

Joel Ames, Matt Wray - Corps of Engineers
Matt Pillard - HDR

Topics Discussed:

Matt Pillard provided a background of the project, discussion of screening and schedule.

The Santee Tribe commented that west of Niobrara, the Santee had no issues other than concern for Ponca Tribe interests.

East of Niobrara, the tribe has concerns with any alignment that does not go by its properties and 54d. We asked if alternative B1 could be modified to line up with 54d, would that be acceptable? They said yes, but existing alignment was still preferable.

Relative to B2, that alignment is not acceptable as it put 54d further away from N-12, routes traffic away from existing properties, and may affect future plans for properties in/around the proposed corridor.

The Corps asked if they could provide their position in written format by mid-July and they said they could.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE-WEHRSPANN
8901 SOUTH 154TH STREET, SUITE 1
OMAHA, NEBRASKA 68138-3621

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

June 8, 2009

Ponca Tribe of Nebraska
Attn: Councilwoman Deborah Robinette
PO Box 288
Niobrara, NE 68760

RE: Nebraska Highway 12 (N-12) – Environmental Impact Statement
Permit # - 2004-10258-WEH
NDOR Project No. S-12-5(1001), C.N. 31674
Knox County, Nebraska

Dear Councilwoman Deborah Robinette:

Thank you again for the opportunity to meet with you and the Ponca Tribal Council during your last council meeting, May 30, 2009. As discussed at that meeting, please find enclosed 15 maps showing two potential alternative corridors for the N-12 Project. Again, we are looking for information regarding areas of interest and/or concern to the Ponca Tribe of Nebraska relative to these two corridors.

Any traditional cultural property location (or general location) is protected from public disclosure. Our sole intent of using this information is to help us screen alternatives to determine which alternatives need to be reviewed in detail in the environmental document.

Relative to potential economic development opportunities that the Ponca Tribe of Nebraska may have, we are continuing to research the use of a non-disclosure agreement document which would protect the information from being disclosed to the general public under a FOIA request. If the U.S. Army Corps of Engineers cannot develop such an agreement that would protect your interests, we would instead ask to meet with you again at your convenience so that we can better understand and incorporate the interests of the Ponca Tribe of Nebraska.

We are planning to hold a public meeting in Niobrara to discuss the range of alternatives and screening process during the week of either July 6 or 13. We would like to complete our screening shortly after that. It would be beneficial to our process that you provide us with any information on or before July 3.

If you have any questions, please do not hesitate to contact Matt Wray, the project manager for the U.S. Army Corps of Engineers at (402)-896-0896, Joel Ames, NWO Tribal Liaison at (402) 995-2909, or me at (402)896-0896.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Moeschen". The signature is fluid and cursive, with the first name "John" being more prominent.

John L. Moeschen
Nebraska State Program Manager

Enclosures

Copy Furnish:

US Army Corps of Engineers (Joel Ames)
HDR Engineering (Matt Pillard)

December 8, 2009

Ms. Sandy Taylor
Ponca Tribe
PO Box 288
Niobrara, NE 68760

RE: N-12 Niobrara East & West Project
Cultural Resources

Dear Ms. Taylor:

The U.S. Army Corps of Engineers (the Corps) and their consultant, HDR Engineering, Inc. (HDR) attended the Ponca Tribal Council meeting on December 7, 2009. At that meeting, the Corps discussed the alternative alignments (see enclosed Figures 1 and 2) that will be carried forward in the Environmental Impact Statement (EIS) for the Nebraska Highway 12 Niobrara East & West Project (N-12 Project).

At the Ponca Tribal Council's request, we are sending you maps of the Bluffs and South of Bluffs alignments (see enclosed Figures 1 through 18 of 18). At their and our request, we would like you to identify areas of significance to the Ponca Tribe on the enclosed figures. Please send one copy of the figures with the marked areas of significance back to Becky Latka at:

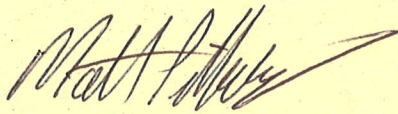
1616 Capitol Avenue
ATTN: CENWO-OD-RF
Omaha, NE 68102

This information will not be distributed or provided to the public. To facilitate the schedule of development of the EIS, we would appreciate it if you could provide this information by January 15.

If further discussion or coordination is warranted, please contact me by phone at (402) 399-1186, or by email at Matt.Pillard@hdrinc.com, or contact Becky Latka, Corps Project Manager at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or contact Joel Ames, NWO Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Thank you.

Sincerely,
HDR Engineering, Inc.

A handwritten signature in dark ink, appearing to read "Matt Pillard", with a long, sweeping horizontal stroke extending to the right.

Matt Pillard
N-12 EIS Project Manager

Enclosures: Figures 1 and 2, Alternatives
Figures 1 through 18 of 18, Bluffs & South of Bluffs Alternatives
(3 copies)

cc: Becky Latka (Corps)
Joel Ames (Corps)

Santee Sioux Nation

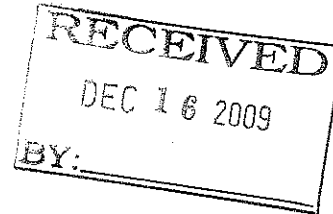
COUNCIL HEADQUARTERS / MUSEUM

Chairman: Roger Trudell
Vice Chairman: David Henry
Treasurer: Robert Campbell
Secretary: Cora Jones



108 Spirit Lake Avenue West
Niobrara, NE 68760-7219
Phone: (402) 857-2772
Fax: (402) 857-2779

9 December 2009



US Army Corps of Engineers
Omaha District
8901 South 154th St.
Omaha, NE 68138-3621

Attn: Mr. Matt Wray:

The Santee Sioux Nation (SSN) would like to thank the US Army Corps of Engineers for taking the time and effort of keeping the SSN abreast of the Nebraska State Highway 12 Niobrara East & West Project. These particular segments of road have plagued travelers for years with the siltation problem with Gavins Point Dam only worsening the problem.

The SSN has been inundated by the Gavins Point Dam with raising the water table, growing flood plane, causing problems with private and public water wells and septic systems, and disrupting agricultural land and housing tracts, as well as causing periods of road closures with NE Hwy. 12 and County Road 531 (located from Hwy. 12 to Center, NE). With these problems, there is a need to modify the current Hwy. 12 road and alleviate some of these issues.

This letter is in response to the proposed routes/modifications to NE Hwy 12 Niobrara East & West Project and to indicate which route(s) the SSN is in support of. According to the Alternative Study Corridors proposed on the NDOR Project Location Map, the SSN is most supportive of proposed Routes 1 or 2, indicated as purple and green respectively on the map. Improvements to Hwy. 12 in this manner would be least disruptive to the social and economic status of the SSN.

The SSN is plagued by high unemployment and has limited access to outside resources due to its isolated location along the Missouri River. As is, it is 15 miles to Niobrara, the nearest village that provide services lacking in the Village of Santee such as banking, post office, and other retail stores. Any modifications to Hwy. 12 that create a farther distance to nearby towns will only hurt a depressed economy and residents of the SSN. Many residents lack transportation and it is difficult to travel to other locations at times.

The Feather Hill Express and Ohiya Casino are located on Hwy. 12 just east of the Santee Spur Road Hwy. 54D. These two businesses comprise a good share of the revenue to the Santee Sioux Nation. They also provide employment opportunities for

residents of Santee (as well as surrounding communities) which is greatly needed in a community of such high unemployment. The business generated by these two entities is vital to the economy and growth of the Santee Sioux Nation. This is mainly why the SSN is in support of proposed routes 1 or 2. These routes would improve the structure and stability of Hwy. 12 without disrupting the economy of the SSN.

Proposed routes 3 and 4 take Hwy. 12 away from the Santee Spur and the Feather Hill Express and Ohiya Casino. Without ease of access to these businesses, the economy of the SSN will take a step backward and is not an option for progress and growth. The SSN has potential plans for other business opportunities near the Casino and Feather Hill. Major changes to Hwy. 12 will only hamper those projects as well.

Proposed routes 3 and 4 also pose potential problems to the preservation of the reservation and tribal lands. These routes cross individual trust lands and there is the great possibility of unearthing unmarked graves (both Native and non-Native alike). Keeping the modifications as close as possible to the current path (routes 1 or 2) lessens the possibility of loss of land to tribal members and unearthing unmarked graves. Proposed routes 3 and 4 would also take Hwy. 12 through areas where currently there are many land slides and shifting of ground (for example on and around County Road 531), which causes road closings frequently. It does not seem probable or most cost effective to take Hwy. 12 through this area.

Thank you for your time and consideration of this letter of support. The Santee Sioux Nation is in favor of modifications to Hwy. 12, but only those modifications that keep it near its current path and in line with businesses vital to the economy of the SSN. If you have further questions, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Roger Trudell', with a stylized, flowing script.

Roger Trudell, Chairman
Santee Sioux Nation

December 29, 2009

Mr. Stan Taylor
c/o Ponca Tribe Museum
2548 Park Ave
Niobrara, NE 68760

Dear Mr. Taylor:

Thank you for contacting Becky Latka with the U.S. Army Corps of Engineers (the Corps) about your tribal resource information. HDR Engineering, Inc. (HDR) is assisting the Corps in documenting the environmental effects of the Nebraska Highway 12 Project (N-12 Project) in the area surrounding Niobrara.

Based on our conversation, I understand that you have maps marked with tribal or other cultural resources of significance. HDR has reviewed the archeological reports previously written for the N-12 Project and has drawn known archeological/tribal sites on the enclosed figures. Also enclosed are pages 24 and 25 of the archeological report that the Nebraska Department of Roads had performed that provides a list of known sites. We request that you review the enclosed information and determine if your maps contain sites that are not already identified in the archeology report. I will call you next week to discuss the differences and additional information you may have compared to the enclosed information.

Please call or me at (402) 399-1186 or Becky Latka at (402) 995-2681 if you have any questions or concerns. Thank you.

Sincerely,
HDR Engineering, Inc.



Matt Pillard
N-12 EIS Project Manager

Attachments removed to
protect sensitive resources.

Enclosures: Figures 1 and 2 with hand-drawn known sites
Pages 24 and 25 of the archeology report (Table 5a)

cc: Becky Latka, Corps

This page intentionally left blank

Project: N-12 Niobrara East & West	Project No: 84534
Date: December 29, 2009	Subject: Tribal/cultural resources
Call to: Meagan Hall (HDR)	Phone No: 402-399-4983
Call from: Stan Taylor (Ponca Tribe)	Phone No: 402-857-3519

C:\Users\rgibson\Desktop\I dont know\Ponca\20091229.p.Hall.StanTaylorPoncaTribalCulturalResources.doc

Discussion, Agreement and/or Action:

Stan Taylor is a Ponca elder that works at the Ponca Tribe Museum in Niobrara. He was contacted by the tribe after the Corps requested help identifying areas with cultural or tribal resources in the N-12 Study Area.

Mr. Taylor called asking if HDR and the Corps were going to travel to Niobrara to visit with him about the cultural resource information he has access to through the museum. I responded that HDR had hand-drawn locations on maps of resources that had previously been identified in NDOR's archeology research reports. The cover letter states that HDR and the Corps will contact Mr. Taylor after he has received the maps. The letter and maps were sent to Mr. Taylor this morning and I stated that he should be receiving them no later than Saturday. I told him that Matt Pillard would call him on Monday, January 4th.

Mr. Taylor and I also briefly discussed Ponca tribal history and their yearly pow-wow.

Subject: Archeological and cultural resources in N-12 Study Area	
Client: USACE	
Project: N-12 Niobrara East & West	Project No: 84534
Meeting Date: January 11, 2010	Meeting Location: Teleconference
Notes by: M. Hall	

C:\Users\rgibson\Desktop\I dont know\Ponca\Notes_Stantaylor_Ponca_100111.doc

Attendees:

Stan Taylor, Ponca elder, Ponca Museum

Matt Pillard, HDR

Meagan Hall, HDR

Topics Discussed:

In a letter dated December 29, 2009, HDR mailed Stan maps with hand-drawn known archeological sites from NDOR's reports. Stan reviewed the HDR-provided maps and compared them to the maps and information he has access to at the Ponca Museum. HDR called Stan to discuss his findings.

Stan stated that it appeared that the HDR-provided maps had much of the same information as the Ponca Museum maps. The group discussed most of the sites east of Niobrara in terms of location and description and determined that it was very similar data. The group determined that the information that Ponca Museum had and the information from NDOR's reports were similar enough that no meeting in Niobrara would be scheduled at this time.

Action/Notes:

HDR assumes that the archeology information compiled in NDOR's reports is accurate and will use it to determine impacts in the EIS.



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

January 15, 2010

Santee Sioux Nation
Attn: Mr. Roger Trudell, Chairman
108 Spirit Lake Avenue West
Niobrara, NE 68760-7219

RE: N-12 Niobrara East & West Project
Alternatives Carried Forward for Environmental Impact Statement

Dear Chairman Trudell:

The Corps of Engineers (Corps) would like to thank the Santee Sioux Nation for sending the letter dated December 9, 2009 that outlines your concerns related to the Nebraska Highway 12 Niobrara East & West (N-12) Project. This information will be useful as we continue evaluating the alternatives in the Environmental Impact Statement (EIS).

The Corps of Engineers (Corps) has completed alternatives screening per guidelines set forth in Section 404 (b)(1) of the Clean Water Act and would like to inform the Santee Sioux Nation on the alternatives that will be carried forward for evaluation in the EIS. Figure 1, Alternatives West Segment and Figure 2, Alternatives East Segment illustrate the alignment of each alternative. The alternatives carried forward are:

- **Alternative A1, Elevation Raise on Existing Alignment, West and East Segments.** This alternative includes a two-lane temporary roadway that would maintain traffic through construction and would provide the least disruption to local and regional traffic and the least constraints for construction activities (thus not prolonging construction duration). This alignment is color-coded black on Figures 1 and 2.
- **Alternative A2, Elevation Raise on Parallel Alignment, West and East Segments.** This roadway would be constructed on a raised elevation alignment parallel and adjacent to the existing N-12 in the floodplain. This alignment is color-coded orange on Figures 1 and 2.
- **Alternative A3, Base of Bluffs Alignment, West and East Segments.** This alignment would shift the roadway alignment south to the base of the Missouri River, but would remain in the floodplain. This alignment is color-coded purple on Figures 1 and 2.
- **Alternative A4, Parallel Elevated Alignment, West and East Segments.** This alternative has the same alignment as Alternative A2. However, the National Park Service (NPS) has requested that the Corps evaluate an alternative that contained a pierced or elevated roadway (bridges) that "maximized hydrologic connectivity." The Corps determined during cost screening that this alternative was not practicable under the Section 404 (b)(1) guidelines due to excessive cost. However, the Corps will carry this alternative forward at the request of the NPS. This alternative is color-coded orange on Figures 1 and 2.

- **Alternative B1, Bluffs Alignment, West and East Segments.** This alternative would relocate N-12 south of the Missouri River floodplain to along the adjacent bluffs in an entirely new transportation corridor. Based on Santee Sioux Nation concerns with connectivity to Santee Spur 54D and the Feather Hill Express/Ohiya Casino, NDOR has realigned the East Segment to join the existing N-12 west of Spur 54D. This alternative is color-coded light green on Figures 1 and 2.
- **Alternative B2, South of Bluffs Alignment, West Segment only.** This alignment is located south of Alternative B1 and would use portions of county road corridors and right-of-way. In the west segment this alternative would deviate from the existing N-12 in the vicinity of Lazy River Road and would reconnect with the existing N-12 at its intersection with County Road 892 west of Niobrara. The East Segment was dismissed from consideration in the EIS due to its lack of tribal support. This alignment is color-coded yellow on Figure 1.

In your December 9, 2009 letter, the Santee Sioux Nation noted that Alternative B1, Bluffs Alignment, and potentially Alternative B2, South of Bluffs Alignment may unearth unmarked graves, both Native and non-Native alike. If the Santee Sioux Nation is aware of any specific areas, identification of these locations would be beneficial in order to attempt to avoid them. The Corps will follow-up with you on potential locations of unmarked graves to determine what type of coordination is needed and the best method for that coordination to occur.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil.

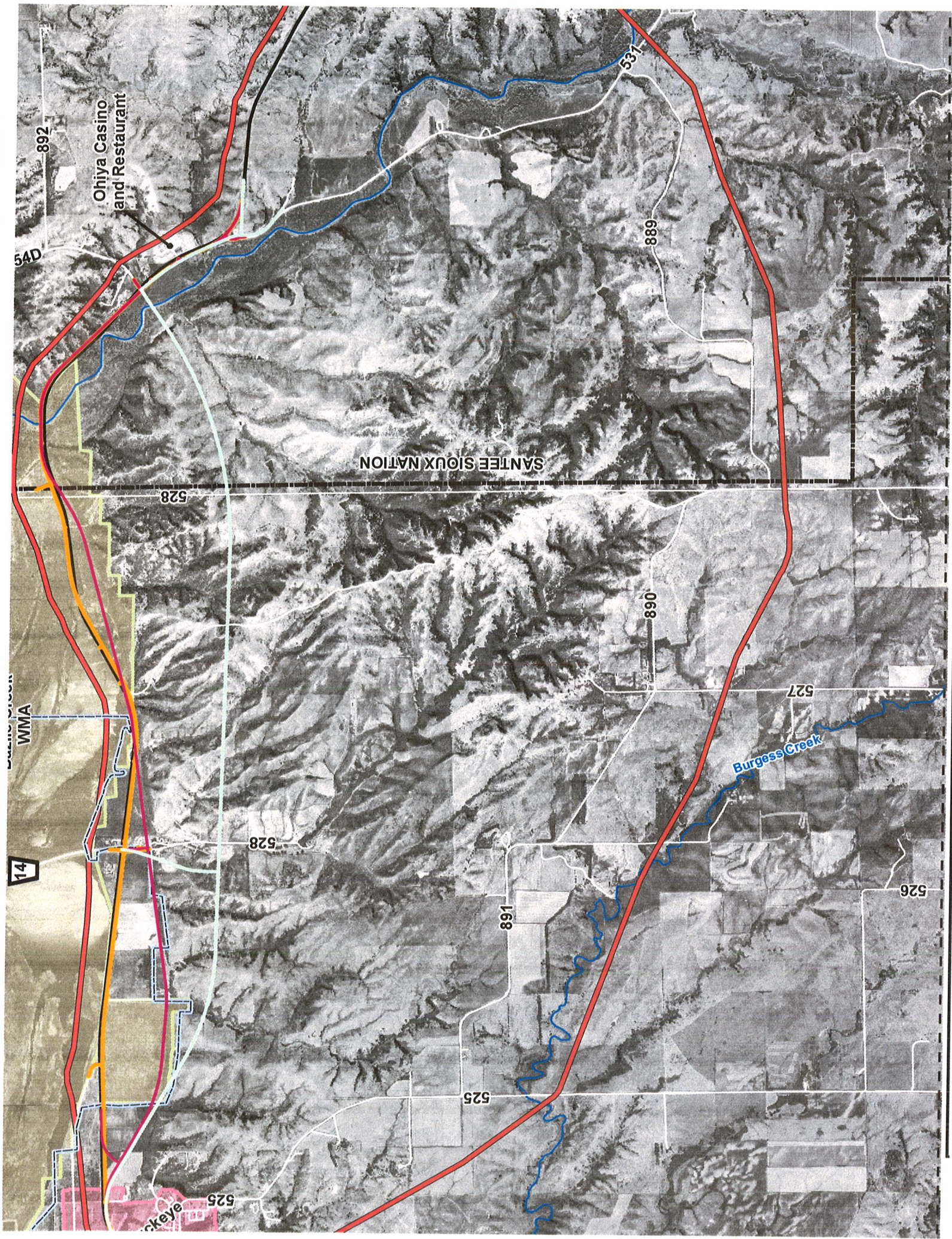
Sincerely yours,



Rebecca J. Latka
N-12 Project Manager

CF:

Joel Ames, NWO Tribal Liaison
HDR (Matt Pillard)



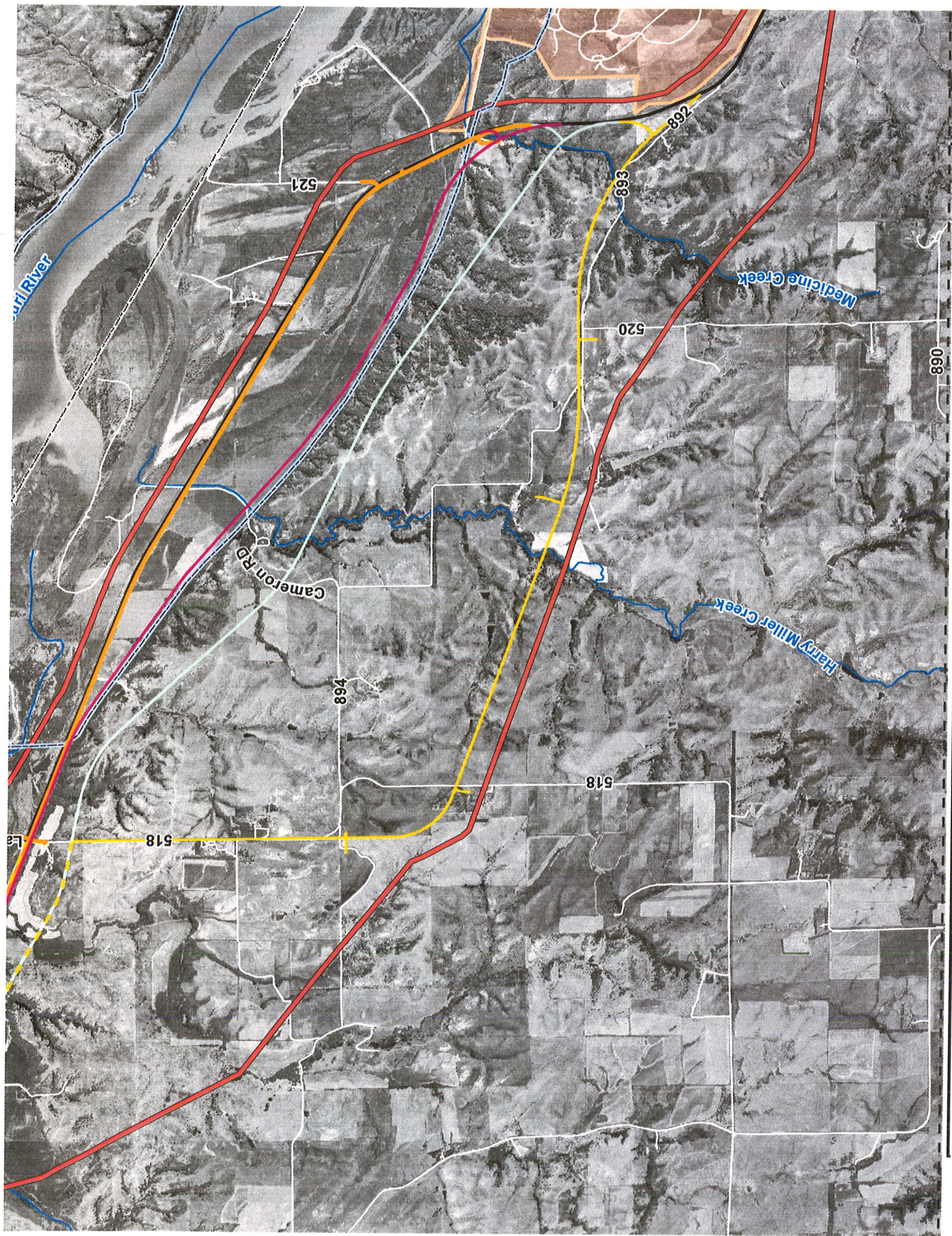
Ohiya Casino
and Restaurant

SANTÉE SIOUX NATION

Burgess Creek

WMA

14





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

December 1, 2010

Ponca Tribe of Nebraska
Chairwoman Rebecca White
P.O. Box 288
Niobrara, NE 68760

RE: N-12 Niobrara East & West Project
Alternatives and Archaeological Impacts

Dear Ms. White:

The U.S. Army Corps of Engineers (Corps) would like to thank the Ponca Tribe of Nebraska for allowing us to attend your Tribal Council meeting on November 8, 2010 to discuss the Nebraska Highway 12 Niobrara East & West (N-12) Project. As a follow up to what was presented at the meeting, we would like to provide you the following information.

Enclosed with this letter are 1) Figures 1 and 2 showing the alternative alignments; 2) excerpts of the 2009 archaeological report prepared by the Nebraska State Historical Society; and 3) the Nebraska Department of Roads' avoidance alternatives for Alternative B1.

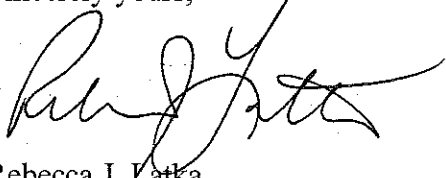
In response to Gloria Hamilton's request for the latitude and longitude of the archaeological sites potentially impacted by Alternative B1, we provide you the following:

- Site 25KX10 (eligible for listing on the National Register of Historic Places [NRHP]): 42.807, -98.167
- Site 25KX1 (listed on the NRHP): 42.808, -98.164
- Site 25KX219 (not eligible for listing, but contains human remains): 42.802, -98.144
- Site 25KX88 (not eligible for listing, but contains human remains): 42.801, -98.142

As stated at the Tribal Council meeting, the Corps requests that if the Ponca Tribe of Nebraska has any comments or concerns related to the archaeological resources near any of the alignments and/or comments or concerns relative to the Nebraska Department of Roads' avoidance of resources potentially impacted by the Alternative B1 alignment, to please document that information in a letter. As an alternative, the Corps would also like to offer to attend future Tribal Council meetings to discuss any concerns.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Rebecca J. Latka', written over a horizontal line.

Rebecca J. Latka
N-12 Project Manager

Enclosures:

Figures 1 and 2 – Alternative alignments
Excerpts of the archaeological report
Figure showing avoidance alignments for Alternative B1

CF:

Joel Ames, NWO Tribal Liaison
HDR (Matt Pillard)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

December 1, 2010

Santee Sioux Nation
Attn: Mr. Roger Trudell, Chairman
108 Spirit Lake Avenue West
Niobrara, NE 68760-7219

RE: N-12 Niobrara East & West Project
Alternatives Carried Forward for Environmental Impact Statement

Dear Mr. Trudell:

The Corps of Engineers (Corps) would like to update the Santee Sioux Nation on the Nebraska Highway 12 Niobrara East & West (N-12) Project. In your December 9, 2009 letter, the Santee Sioux Nation noted that Alternative B1, Bluffs Alignment, and potentially Alternative B2, South of Bluffs Alignment may unearth unmarked graves, both Native and non-Native alike. Currently, Alternative B1 is one of the alternatives being carried forward for evaluation in the Environmental Impact Statement (EIS), while Alternative B2 has been dismissed.

The Corps is now concerned with the potential archaeological impacts under Alternative B1. Four sites, two of which are either listed or eligible for listing on the National Register of Historic Places (NRHP) and two of which contain human remains have been identified by the Nebraska State Historical Society within the alignment of Alternative B1. The Nebraska Department of Roads has provided some options for avoidance alternatives. Enclosed with this letter are 1) Figures 1 and 2 showing the alternative alignments; 2) excerpts of the 2009 archaeological report prepared by the Nebraska State Historical Society; and 3) the Nebraska Department of Roads' avoidance alternatives for Alternative B1. In addition, we would like to provide you with the latitude and longitude of the sites:

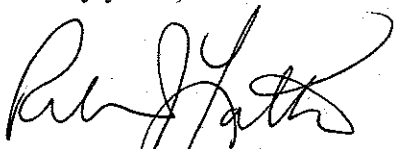
- Site 25KX10 (eligible for listing on the NRHP): 42.807, -98.167
- Site 25KX1 (listed on the NRHP): 42.808, -98.164
- Site 25KX219 (not eligible for listing, but contains human remains): 42.802, -98.144
- Site 25KX88 (not eligible for listing, but contains human remains): 42.801, -98.142

The Corps is currently coordinating with the Ponca Tribe of Nebraska regarding this issue.

The Corps requests that if the Santee Sioux Nation has any comments or concerns related to the archaeological resources near any of the alignments and/or comments or concerns relative to the Nebraska Department of Roads' avoidance of resources potentially impacted by the Alternative B1 alignment, to please document that information in a letter. As an alternative, the Corps would also like to offer to attend future Tribal Council meetings to discuss any concerns.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely yours,



Rebecca J. Latka
N-12 Project Manager

Enclosures:

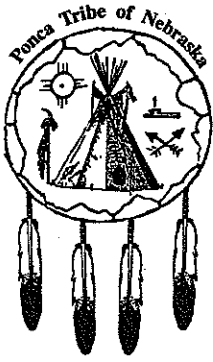
Figures 1 and 2 – Alternative alignments

Excerpts of the archaeological report

Figure showing avoidance alignments for Alternative B1

CF:

Joel Ames, NWO Tribal Liaison
HDR (Matt Pillard)



Ponca Tribe of Nebraska

P.O. Box 288
Niobrara, NE 68760

402 857-3391
FAX: 402 857-3736

March 26, 2011

Ms. Becky Latka
Project Manager
U.S. Army Corps of Engineers
1616 Capitol Avenue
Omaha, Nebraska 68102

Ms. Latka:

Please be advised that we, the Ponca Tribe of Nebraska, have concerns with the proposed Bluff route in regards to the Highway 12 Project located in Knox County. We are taking this opportunity to inform you of our interest to participate in direct consultation following Section 106 processes.

In accordance with 36 CFR Part 800, Subparts A & B (Section 106) a Memorandum of Understanding is necessary before any changes or construction can begin on the proposed Highway 12 Project. We are interested in helping develop any plans of avoidance of the area over the Bluffs on both sides of the road east and west of Niobrara. The plan will include the stipulation that the Ponca Tribe is to be notified of any inadvertent discoveries which would demand repatriation work. We are willing to meet at your convenience to start the drafting of this MOU.

The Ponca Tribe has oral history of burials within the proposed area of concern, but does not have the actual locations of the sites at this time. We are including a map that shows our greatest areas of concern. As you are aware, there are four known archeological sites west of Niobrara that are Ponca specific. We are not aware of any archeological work carried out east of Niobrara.

Attachments
removed to
protect
sensitive
resources.

As this area was, and is, home to the Ponca Tribe of Nebraska, we believe it would behoove the Corps to rule out any Native American burial sites, or archaeological areas of note. As a reminder, the Former Chairman, Larry Wright, Jr. voiced these concerns to the Corps representatives that presented the Highway 12 project to the Tribal Council on two previous occasions.

Please contact Gary Robinette, Cultural Director/THPO, Gloria Hamilton, THPO Coordinator; or Julia Sage, Environmental Specialist for further assistance at (402) 857-3519.

Sincerely,

Rebecca White, Chairwoman
Ponca Tribe of Nebraska

cc: Tribal Council, D. Lee, G. Robinette, J. Sage

This page intentionally left blank



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

June 25, 2012

Ponca Tribe of Nebraska
Chairwoman Rebecca White
P.O. Box 288
Niobrara, NE 68760

RE: N-12 Niobrara East & West Project
Schedule of NEPA Process Activities

Dear Ms. White:

The Corps of Engineers (Corps) would like to update the Santee Sioux Nation on the Nebraska Highway 12 Niobrara East & West (N-12) Project. At this point,

The Corps have received all necessary information from the Nebraska Department of Roads (NDOR) to draft the Environmental Impact Statement (EIS). At this time a Draft EIS is anticipated to be made available to the public for review in the mid-November (2012) timeframe. There will be a comment period to receive public comments on the Draft EIS. A public meeting will be held by the Corps in early December to present the Draft EIS and to receive input from the public. Specific information on the comment period and meeting date and location will be provided at as soon as they are scheduled.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely yours,

Rebecca J. Latka
N-12 Project Manager

CF:
Joel Ames, NWO Tribal Liaison
HDR (Matt Pillard)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

<https://www.nwo.usace.army.mil/html/od-rne/nehome.html>

June 25, 2012

Santee Sioux Nation
Attn: Mr. Roger Trudell, Chairman
108 Spirit Lake Avenue West
Niobrara, NE 68760-7219

RE: N-12 Niobrara East & West Project
Schedule of NEPA Process Activities

Dear Mr. Trudell:

The Corps of Engineers (Corps) would like to update the Santee Sioux Nation on the Nebraska Highway 12 Niobrara East & West (N-12) Project. At this point,

The Corps have received all necessary information from the Nebraska Department of Roads (NDOR) to draft the Environmental Impact Statement (EIS). At this time a Draft EIS is anticipated to be made available to the public for review in the mid-November (2012) timeframe. There will be a comment period to receive public comments on the Draft EIS. A public meeting will be held by the Corps in early December to present the Draft EIS and to receive input from the public. Specific information on the comment period and meeting date and location will be provided as soon as they are scheduled.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely yours,

Rebecca J. Latka
N-12 Project Manager

CF:
Joel Ames, NWO Tribal Liaison
HDR (Matt Pillard)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

August 28, 2013

Regulatory Branch

Ponca Tribe of Nebraska
Chairwoman Rebecca White
P.O. Box 288
Niobrara, Nebraska 68760

RE: N-12 Niobrara East and West Project, Schedule of National Environmental Policy Act (NEPA) Process Activities

Dear Ms. White:

The Corps of Engineers (Corps) would like to update the Ponca Tribe on the Nebraska Highway 12 Niobrara East and West (N-12) Project. The Corps and the Nebraska Department of Roads (NDOR) have new information on flood elevations that will affect the design of the alternatives and the schedule to complete the Draft Environmental Impact Statement (EIS).

NDOR has minimum design standards that require state and local roadways have an area from the driving lane free of obstacles, including above bodies of water. N-12 shall have approximately 7.5-feet of clearance above the 100-year flood elevation and N-14 shall have approximately 7-feet of clearance above the 100-year flood elevation.

In spring 2013, the Corps developed a new floodplain model during a study requested by the Niobrara Public School District. The model included new information from the 2011 flood. The Corps then compared the floodplain elevations developed under the new model to the parallel alignment (Alternative A2) as it was currently designed. The Corps found that alternative A2 no longer meets 100-year flood design criteria, and the other road alternatives may also be impacted. NDOR plans to redesign all of the floodplain alternatives to raise the roadway elevations based on the new floodplain modeling. In addition, NDOR has reevaluated its design engineering for the bluffs alignment (Alternative B1). NDOR plans to redesign the alternative B1 with a wider footprint and drainage methods to reduce the potential for slides and road failures due to the presence of Pierre shale.

The redesign of the alternatives will change the cost of each alternative and the impacts to wetlands. The Corps uses cost as a factor to determine what alternatives are practicable. Therefore, a new review of alternatives and their costs will be needed. The Corps will also review each revised alternative for impacts to wetlands and other resources. These impacts will be discussed in the EIS.

NDOR plans to have the redesign of the alternatives and new costs developed by summer 2014. The Corps will then include the alternatives and impacts in the EIS. A draft of the EIS is planned to be available to the public in spring 2015. The Corps will host a public meeting and

request comments from the public. The Corps will also request a meeting with the Tribes to gather information at that time.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison, at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca J. Latka', written in a cursive style.

Rebecca J. Latka
N-12 Project Manager

Copy Furnished:

HDR (Matt Pillard)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

August 28, 2013

Regulatory Branch

Mr. Roger Trudell, Chairman
Santee Sioux Nation
108 Spirit Lake Avenue West
Niobrara, Nebraska 68760-7219

RE: N-12 Niobrara East and West Project, Update of National Environmental Policy Act (NEPA) Process Activities

Dear Mr. Trudell:

The Corps of Engineers (Corps) would like to update the Santee Sioux Nation on the Nebraska Highway 12 Niobrara East and West (N-12) Project. The Corps and the Nebraska Department of Roads (NDOR) have new information on flood elevations that will affect the design of the alternatives and the schedule to complete the Draft Environmental Impact Statement (EIS).

NDOR has minimum design standards that require state and local roadways have an area from the driving lane free of obstacles, including above bodies of water. N-12 shall have approximately 7.5-feet of clearance above the 100-year flood elevation and N-14 shall have approximately 7-feet of clearance above the 100-year flood elevation.

In spring 2013, the Corps developed a new floodplain model during a study requested by the Niobrara Public School District. The model included new information from the 2011 flood. The Corps then compared the floodplain elevations developed under the new model to the parallel alignment (Alternative A2) as it was currently designed. The Corps found that alternative A2 no longer meets 100-year flood design criteria, and the other road alternatives may also be impacted. NDOR plans to redesign all of the floodplain alternatives to raise the roadway elevations based on the new floodplain modeling. In addition, NDOR has reevaluated its design engineering for the bluffs alignment (Alternative B1). NDOR plans to redesign the alternative B1 with a wider footprint and drainage methods to reduce the potential for slides and road failures due to the presence of Pierre shale.

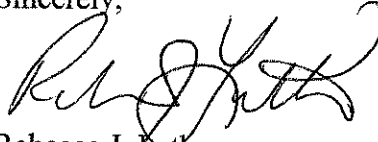
The redesign of the alternatives will change the cost of each alternative and the impacts to wetlands. The Corps uses cost as a factor to determine what alternatives are practicable. Therefore, a new review of alternatives and their costs will be needed. The Corps will also review each revised alternative for impacts to wetlands and other resources. These impacts will be discussed in the Environmental Impact Statement (EIS).

NDOR plans to have the redesign of the alternatives and new costs developed by summer 2014. The Corps will then include the alternatives and impacts in the EIS. A draft of the EIS is planned to be available to the public in spring 2015. The Corps will host a public meeting and

request comments from the public. The Corps will also request a meeting with the Tribes to gather information at that time.

If you have any questions or would like to discuss the project in more detail, please contact me by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison, at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca J. Latka', written in a cursive style.

Rebecca J. Latka
N-12 Project Manager

Copy Furnished:

HDR (Matt Pillard)



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

District Commander

AUG 14 2015

Santee Sioux Tribe of Nebraska
Roger Trudell, Tribal Chairman
108 Spirit Lake Ave West
Niobrara, Nebraska 68760

Dear Chairman Trudell:


The Corps of Engineers (Corps) would like to update the Santee Sioux Tribe of Nebraska on the Nebraska Highway 12 Niobrara East & West (N-12) Project. The Corps has completed alternative screening and has prepared a Preliminary Draft Environmental Impact Statement (PDEIS). Enclosed you will find a CD containing the complete PDEIS and all appendices.

In summary, the alternatives that are considered practicable and reviewed within the PDEIS for detailed environmental analysis are Alternative A1- Elevation Raise on Existing Alignment, Alternative A2 – Elevation Raise on Parallel Alignment, Alternative A3 –Base of Bluffs Alignment, and Alternative A7 – Base of Bluffs Modified Elevated Alignment. At this point, the Nebraska Department of Roads (NDOR) has not indicated which alternative they would submit a Section 404 Permit Application. They are expected to make that decision soon in order to allow for the Draft Environmental Impact Statement (DEIS) to be issued for public review (and public meeting and/or hearing) this October.

The Corps would welcome the opportunity to meet with you at your convenience to discuss the findings contained within the PDEIS and discuss any questions or concerns you may have. In order to assure that your questions or comments are addressed in the DEIS, receipt of comments or a meeting with you would be advantageous to occur before September 1, 2015.

If you have any questions or would like to discuss the project in more detail, please contact Ms. Rebecca Latka by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,


John W. Henderson, P.E.
Colonel, Corps of Engineers
District Commander



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

District Commander

AUG 14 2015

Ponca Tribe of Nebraska
Chairwoman Rebecca White
P.O. Box 288
Niobrara, Nebraska 68760

Dear Chairwoman White:


The Corps of Engineers (Corps) would like to update the Ponca Tribe of Nebraska on the Nebraska Highway 12 Niobrara East & West (N-12) Project. The Corps has completed alternative screening and has prepared a Preliminary Draft Environmental Impact Statement (PDEIS). Enclosed you will find a CD containing the complete PDEIS and all appendices.

In summary, the alternatives that are considered practicable and reviewed within the PDEIS for detailed environmental analysis are Alternative A1- Elevation Raise on Existing Alignment, Alternative A2 – Elevation Raise on Parallel Alignment, Alternative A3 –Base of Bluffs Alignment, and Alternative A7 – Base of Bluffs Modified Elevated Alignment. At this point, the Nebraska Department of Roads (NDOR) has not indicated which alternative they would submit a Section 404 Permit Application. They are expected to make that decision soon in order to allow for the Draft Environmental Impact Statement (DEIS) to be issued for public review (and public meeting and/or hearing) this October.

The Corps would welcome the opportunity to meet with you at your convenience to discuss the findings contained within the PDEIS and discuss any questions or concerns you may have. In order to assure that your questions or comments are addressed in the DEIS, receipt of comments or a meeting with you would be advantageous to occur before September 1, 2015.

If you have any questions or would like to discuss the project in more detail, please contact Ms. Rebecca Latka by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,


John W. Henderson, P.E.
Colonel, Corps of Engineers
District Commander



Department of the Army

CORPS OF ENGINEERS, OMAHA DISTRICT
1616 CAPITOL AVE
OMAHA, NEBRASKA 68102-9000

AUG 24 2015

District Commander

Sac and Fox Nation
Principal Chief
Mr. George Thurman
920883 S. Hwy. 99 Building A
Stroud, Oklahoma 74079

Dear Principal Chief Thurman:

I am writing you to address the proposed Nebraska Highway 12 (N-12) Niobrara East and West Project (Project) for which the U.S. Army Corps of Engineers (Corps) is the lead Federal Agency for the purposes of the National Historic Preservation Act (NHPA) and the National Environmental Policy Act (NEPA). The Study Area for the Project parallels the Missouri River starting just east of Verdel, Nebraska and extending southeast through Niobrara, Nebraska to east of S-54D.

In September of 2008, your Tribe was provided with Project information and offered an opportunity to meet and consult on the Project. At that time, your Tribe did not express a desire to consult on this effort. Since that time, refinements to the Project have been made. A Draft Environmental Impact Statement (DEIS) is anticipated to be issued to the public in October of this year. The attached information provides a summary of the Project.


Due to the anticipated DEIS release to the public, I would like to again offer the opportunity to meet and consult on the Project prior to release of the DEIS to the public.

Please notify me of your Tribe's interest to meet or consult on this Project as well as your Tribe's interest in participating in the Project scoping and planning effort. Upon receipt of this information from you, a representative of the Corps will contact your designated representative to initiate discussions to address your Tribe's desires to meet or consult.

We look forward to your participation in this effort. Please let us know of any special considerations or accommodations you may require to participate effectively. Additionally, please notify me if your Tribe does not wish to participate, so that we may target our mailing list to interested parties.

Thank you for your consideration of this matter. If you have questions or concerns, please contact Ms. Rebecca Latka, Project Manager, by phone at (402) 995-2681 or by email at Rebecca.J.Latka@usace.army.mil or you may contact Mr. Joel Ames, Tribal Liaison at (402) 995-2909 or by email at Joel.O.Ames@usace.army.mil.

Sincerely,


John W. Henderson, P.E.
Colonel, Corps of Engineers
District Commander



US Army Corps
of Engineers®
Omaha District

NEBRASKA HIGHWAY 12 (Niobrara East & West)

July 2015

PROJECT LOCATION AND DESCRIPTION: The proposed Nebraska Highway 12 relocation is in the northeast corner of Nebraska and runs parallel to a portion of the Missouri River that has been designated as a National Recreational River under the Wild and Scenic Rivers Act. The relocation of the roadway is necessary as the result of flooding of the highway, causing stability and safety concerns. The applicant is the Nebraska Department of Roads (NDOR).

BACKGROUND: Highway 12 is in the northeast Nebraska transportation corridor just south of the Missouri River from NE Spur S54D to Verdel. The historical construction of the Ft. Randall and Gavins Point Dams and associated reservoirs are capturing the sediment accreting in the Missouri River Valley at a faster rate than originally anticipated by the Corps. Increased seasonal water levels are having an adverse impact on the Highway 12 corridor resulting in increased flooding across the roadway creating safety concerns and increased maintenance problems for the State of Nebraska.

The State of Nebraska filed a claim against the Corps in Federal Court based on the premise the action by the Corps has constituted a taking. Since 2003, the Corps Omaha District legal staff has been working with the Department of Justice to negotiate a settlement with the State. The Nebraska Regulatory Field Office has identified potential significant impacts regarding the context and intensity of this project, therefore, an Environmental Impact Statement (EIS) is being prepared.

CURRENT STATUS: A 3rd party contractor (HDR) is drafting information needed for the preparation of an EIS for the Highway 12 Project. Monthly progress meetings are occurring and will continue to occur during the development of the EIS between USACE, HDR, and NDOR.

The National Park Service, U.S. Fish and Wildlife Service, Federal Highway Administration, EPA Region VII, and Knox County, Nebraska are cooperating agencies on the EIS.

Periodic (every 3 – 6 months) conference calls are held between the Corps, Department of Justice, the Judge on the case, and attorney for the State of Nebraska in order to discuss the status of the EIS and the lawsuit.

Due to the flood of 2011, the road alternatives had to be re-designed to higher elevations, which resulted in a time delay, greater wetland impacts due to the wider width, as well as higher costs. Additionally, Highway 14, perpendicular to Highway 12, also needs to be raised within the floodplain to address new 100-year flood elevations. Four alternatives are being evaluated in the EIS. The preliminary draft EIS is currently undergoing cooperating agency review, with comments due August 1, 2015. Public review is anticipated from October-December, 2015.

Project Manager – Becky Latka (402) 995-2681

Nebraska State Program Manager – John Moeschen (402) 896-0896

Regulatory Branch Chief – Martha Chieply (402) 995-2451



Project Location Map

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Study



DATE

FIGURE

1-1



DESCRIPTION OF THE ALTERNATIVES CARRIED FORWARD

July 20, 2015

Alternatives are variations of alignments within three geographic corridors: the northern floodplain corridor, the southern floodplain corridor, and the bluffs corridor. All alternatives include construction to a new roadway elevation able to accommodate a 100-year flood event, 50 years into the future (inclusive of sediment deposition predictions in the the Niobrara delta area). All alternatives include raising Highway 14 from the intersection with Highway 12 north to the Standing Bear Bridge. In addition to impacting wetlands, all alternatives also result in filling existing Corps flowage easements.

True to all alternatives:

- All alternatives impact Corps flowage easements
- Flowage easements will be retained over the alternatives that are built within flowage easements
- All alternatives place fill in wetlands and/or waters of the U.S and impact streams.
- All alternatives include the raising of Highway 14 from Highway 12 to the Chief Standing Bear Bridge.
- All alternatives (even the least expensive) are multiple times more expensive than other rural arterial highways within Nebraska.

Northern Floodplain Corridor:

A1 – Existing Alignment. This alternative consists of raising the road in the existing location.

- An access road would still be needed during construction.
- Total length of bridges 0.3 miles.
- 147.4 acres of wetlands impacted
- \$169 million

A2 – Parallel Alignment. This alternative consists of constructing a new road parallel to the existing road.

- NDOR’S PREFERRED ALTERNATIVE.
- The existing road can remain open and be used for access during construction.
- The existing road will remain in place after construction as a “wave berm.”
- Total length of bridges 0.3 miles.
- 144.5 acres of wetlands impacted
- \$164 million

Southern Floodplain Corridor (base of bluffs):

A3 – Base of Bluffs Alignment. This alternative consists of constructing a new road in the southern edge of the floodplain (further away from the Missouri River) near the base of the bluffs.

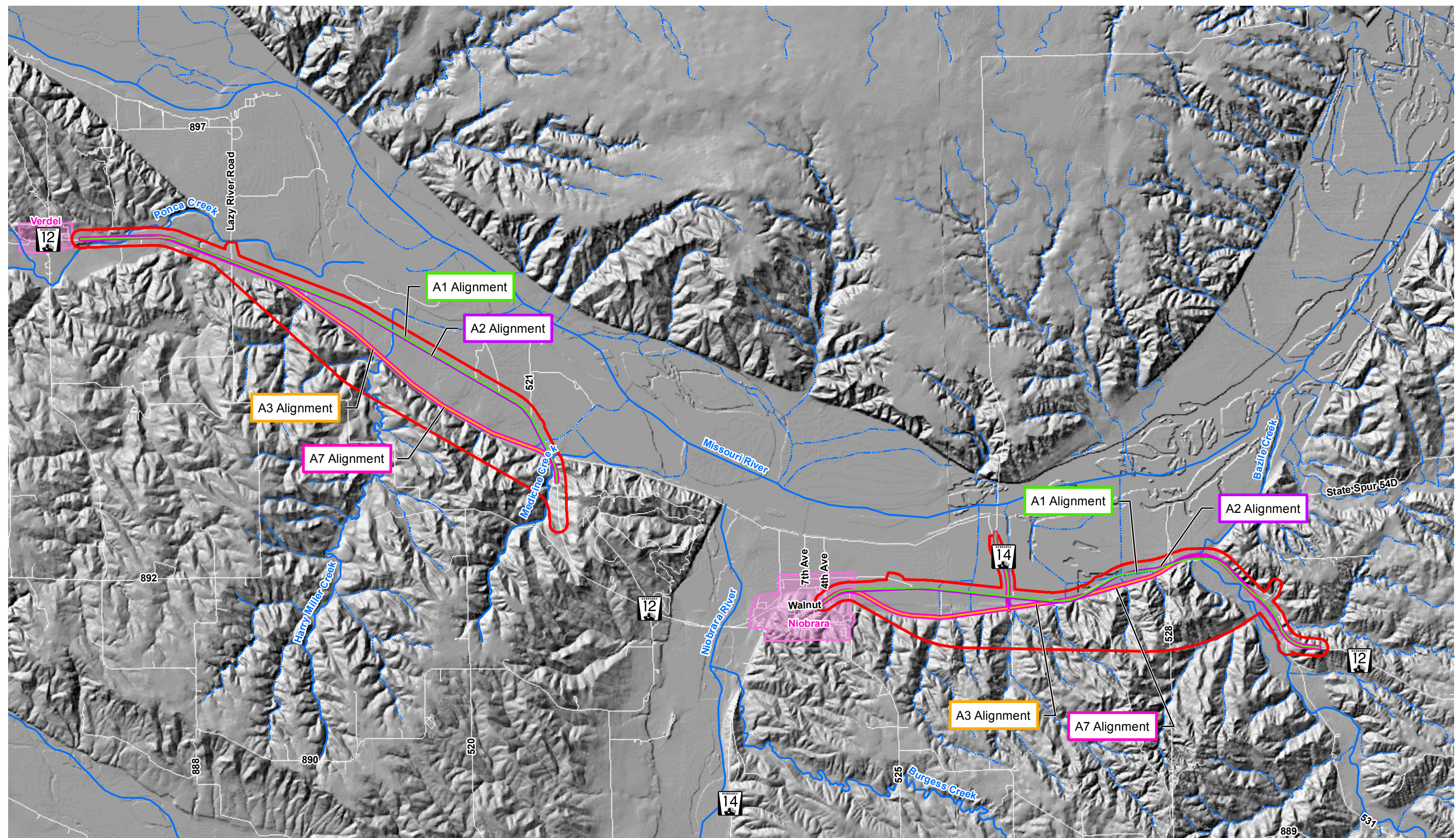
- The existing road will be operable during construction, and will be removed once the new road is completed.

- Total length of bridges 0.4 miles.
- 118.0 acres of wetlands impacted.
- \$162 million

A7 – Base of Bluffs Modified Elevated Alignment. This alternative consists of constructing a new road along A3 alignment, but with fewer bridges than previously screened-out bridged alternatives.

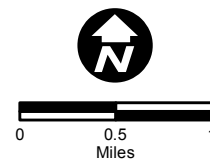
- The existing road will be operable during construction, and will be removed once the new road is completed.
- Total length of bridges 1.8 miles.
- 91.9 acres of wetlands impacted.
- \$218 million

Z:\Projects\NDOR\84534_N12_EIS\map_docs\mxd\Draft\N12_Overview_Alignments_11x17.mxd



Aerial Imagery: 2006 NAIP, Knox County, Nebraska

- A1 Alignment
- A2 Alignment
- A3 Alignment
- A7 Alignment
- Study Area



Proposed Alignments

Nebraska State Highway 12
Knox County, Nebraska
Environmental Impact Statement



DATE
June 2015

FIGURE
1

Verified correct with
web search or phone
calls:

Principal Chief	Mr. George Thurman	Sac and Fox Nation	920883 S. Hwy. 99 Building A Stroud, OK 74079
Chairperson	Ms. Brigitte Robidoux	Sac and Fox Nation of Missouri in Kansas and Nebraska	Main Office 305 North Main Street Reserve, KS 66434
Chairwoman	Ms. Judith Youngbear-Bender	Sac and Fox Tribe of the Mississippi in Iowa (Meskwaki Nation)	349 Meskwaki Road Tama, IA 52339
Chairman	Mr. Mark Fox	Mandan, Hidatsa & Arikara Nation	Three Affiliated Tribes Tribal Administration Building 404 Frontage Road New Town, ND 58763
Chairman	Mr. Dave Archambault II	Standing Rock Sioux Tribe	Building #1 North Standing Rock Ave P.O. Box D Fort Yates, ND 58538
Chairperson	Ms. Myra Pearson	Spirit Lake Sioux Tribe (Mni Wakan Oyate)	PO Box 359, Fort Totten, ND 58335
Chairwoman	Ms. Darla Lapointe	Winnebago Tribe of Nebraska	100 Bluff Street - PO Box 687 Winnebago, NE 68071
Chairman	Mr. Vernon Miller	Omaha Tribe of Nebraska	PO Box 368 Macy, NE 68039
Chairman	Mr. John R. Shotton	The Otoe-Missouria Tribe	8151 Hwy 177, Red Rock, OK 74651
Chairman	Mr. Tim Rhodd	Iowa Tribe of Kansas and Nebraska	3345 B. Thrasher Rd. White Cloud, KS 66094

President	Ms. Misty M. Nuttle	Pawnee Nation of Oklahoma	P.O. Box 470 Pawnee, OK 74058
Tribal Chairman	Mr. Larry Wright, Jr.	Ponca Tribe of Nebraska	Ponca Tribal Headquarters PO Box 288 Niobrara NE 68760
Chairman	Mr. Robert Flying Hawk	Yankton Sioux Tribe	Yankton Sioux Tribe PO BOX 1153 Wagner, SD 57380
President	Mr. John Yellow Bird Steele	Oglala Sioux Tribe	P.O. Box 2070 Red Cloud Building, Main Street Pine Ridge, SD 57770
President	Mr. William Kindle	Rosebud Sioux Tribe	11 Legion Ave Rosebud, SD 57570
Chairman	Mr. Kevin Wright	Lower Brule Sioux Tribe	187 Oyate Circle Lower Brule, SD 57548-0187
Chairman	Mr. Duane Renville	Sisseton Wahpeton Oyate	PO Box 509 Agency Village, SD 57262-0509
President	Mr. Anthony Reider	Flandreau Santee Sioux Tribe	P.O Box 283 Flandreau, SD 57028

**SUGGESTED
ADDITIONS:**

Chairwoman	Ms. Roxanne Sazue	Crow Creek Sioux Tribe	P.O. Box 50 100 Drifting Goose Drive Fort Thompson, SD 57339-0050
Chairman	Mr. Harold Frazier	Cheyenne River Sioux Tribe	PO Box 590 Eagle Butte, SD 57625- 0590
Chairman	Mr. Richard McCloud	Turtle Mountain Band of Chippewa	PO Box 900 Belcourt, North Dakota 58316